

SECOND REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 1397**  
**96TH GENERAL ASSEMBLY**

5324L.04C

D. ADAM CRUMBLISS, Chief Clerk

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**AN ACT**

To repeal sections 49.272, 52.230, 52.240, 66.010, 67.320, 67.1018, 67.2010, 79.050, 79.055, 94.902, 137.556, 141.210, 141.220, 141.250, 141.290, 141.300, 141.320, 141.410, 141.430, 141.440, 141.480, 141.500, 141.540, 141.550, 141.560, 141.570, 141.580, 141.720, 141.770, 141.790, 143.790, 302.291, 320.202, 321.130, 321.162, 321.460, and 321.711, RSMo, 141.530 as enacted by senate committee substitute for house substitute for house committee substitute for house bills nos. 977 & 1608, eighty-ninth general assembly, second regular session, and section 141.530 as enacted by conference committee substitute no. 2 for house committee substitute for senate bill no. 778, eighty-ninth general assembly, second regular session, and to enact in lieu thereof sixty-eight new sections relating to political subdivisions, with a penalty provision.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Sections 49.272, 52.230, 52.240, 66.010, 67.320, 67.1018, 67.2010, 79.050, 79.055, 94.902, 137.556, 141.210, 141.220, 141.250, 141.290, 141.300, 141.320, 141.410, 141.430, 141.440, 141.480, 141.500, 141.540, 141.550, 141.560, 141.570, 141.580, 141.720, 141.770, 141.790, 143.790, 302.291, 320.202, 321.130, 321.162, 321.460, and 321.711, RSMo, 141.530 as enacted by senate committee substitute for house substitute for house committee substitute for house bills nos. 977 & 1608, eighty-ninth general assembly, second regular session, and section 141.530 as enacted by conference committee substitute no. 2 for house committee substitute for senate bill no. 778, eighty-ninth general assembly, second regular session, are repealed and sixty-eight new sections enacted in lieu thereof, to be known as sections 49.272, 49.295, 52.230, 52.240, 66.010, 67.136, 67.285, 67.312, 67.320, 67.1018, 67.2010, 71.289, 79.050, 79.055, 94.902, 137.556, 141.210, 141.220, 141.250, 141.290, 141.300, 141.320, 141.410, 141.430, 141.440, 141.480, 141.500, 141.530, 141.540, 141.550, 141.560, 141.570, 141.580, 141.720, 141.770, 141.785, 141.790, 141.980, 141.981, 141.982, 141.983, 141.984,

14 141.985, 141.988, 141.991, 141.994, 141.997, 141.1000, 141.1003, 141.1006, 141.1009,  
15 141.1012, 141.1015, 143.789, 143.790, 247.700, 248.210, 249.1200, 278.157, 302.291, 311.205,  
16 320.202, 321.130, 321.162, 321.228, 321.460, 321.711, and 1, to read as follows:

49.272. **1. The county commission of the following counties may impose civil fines  
2 as provided in this section:**

3 (1) Any county of the first classification [without a charter form of government] and with  
4 more than one hundred thirty-five thousand four hundred but less than one hundred thirty-five  
5 thousand five hundred inhabitants[, and in] ;

6 (2) Any county of the first classification [without a charter form of government] having  
7 a population of at least eighty-two thousand inhabitants, but less than eighty-two thousand one  
8 hundred inhabitants[,] ;

9 (3) Any county of the first classification with more than one hundred four thousand six  
10 hundred but fewer than one hundred four thousand seven hundred inhabitants[,] ;

11 (4) Any county of the first classification with more than one hundred ninety-eight  
12 thousand but fewer than one hundred ninety-nine thousand two hundred inhabitants[, and] ;

13 (5) Any county of the first classification with more than two hundred forty thousand  
14 three hundred but less than two hundred forty thousand four hundred inhabitants[, which] ;

15 (6) **Any county of the first classification with more than eighty-three thousand but  
16 fewer than ninety-two thousand inhabitants and with a home rule city with more than  
17 seventy-six thousand but fewer than ninety-one thousand inhabitants as the county seat.**

18 **2. Any county listed in subsection 1 of this section that** has an appointed county  
19 counselor and which adopts or has adopted rules, regulations, or ordinances under authority of  
20 a statute which prescribes or authorizes a violation of such rules, regulations, or ordinances to  
21 be a misdemeanor punishable as provided by law, may by rule, regulation, or ordinance impose  
22 a civil fine not to exceed one thousand dollars for each violation. Any fines imposed and  
23 collected under such rules, regulations, or ordinances shall be payable to the county general fund  
24 to be used to pay for the cost of enforcement of such rules, regulations, or ordinances.

**49.295. Notwithstanding any provision of law to the contrary, county  
2 commissioners may comply with section 67.285 regarding any contract for the engineering,  
3 repair, sustainability, water quality management, and maintenance of an existing water  
4 storage tank and appurtenant facilities that does not change the size or capacity.**

5 52.230. **1.** Each year the collectors of revenue in all counties of the first class not having  
6 a charter form of government, and in all second, third and fourth class counties of the state, not  
7 under township organization, shall mail to all resident taxpayers, at least thirty days prior to  
8 delinquent date, a statement of all real and tangible personal property taxes due and assessed on

9 the current tax books in the name of the taxpayers. Such statement shall also include the amount  
10 of real and tangible personal property taxes delinquent at the time of the mailing of the statement,  
11 including any interest and penalties associated with the delinquent taxes. Such statement shall  
12 declare upon its face, or by an attachment thereto, that they are delinquent at the time such  
13 statement is mailed for an amount of real or tangible personal property taxes, or both. A  
14 collector of revenue or other collection authority charged with the duty of tax or license  
15 collection may refuse to accept payment not accompanied by such statement. Refusal by the  
16 collector of revenue to accept payment not accompanied by such statement shall not relieve or  
17 delay the levy of interest and penalty on any overdue unpaid tax or license. Collectors shall also  
18 mail tax receipts for all the taxes received by mail.

19 **2. The collectors of revenue may electronically transmit the statement required**  
20 **under subsection 1 of this section to the electronic address provided and authorized by the**  
21 **taxpayer to the collector of revenue. Any electronic address provided by a taxpayer to the**  
22 **collector of revenue shall be a closed record under chapter 610.**

52.240. 1. The statement and receipt required by section 52.230 shall be mailed to the  
2 address of the taxpayer as shown by the county assessor on the current tax books, and postage  
3 for the mailing of the statements and receipts shall be furnished by the county commission **or the**  
4 **statement and receipt may be electronically transmitted to the electronic address provided**  
5 **and authorized by the taxpayer to the collector of revenue.** The failure of the taxpayer to  
6 receive the notice provided for in section 52.230 in no case relieves the taxpayer of any tax  
7 liability imposed by law.

8 **2. No penalty or interest imposed under any law shall be charged on any real or**  
9 **personal property tax when the county collector certifies due to system failures or other**  
10 **reason that the statement required by section 52.230 was mailed less than thirty days prior**  
11 **to the delinquent date and the taxpayer paid taxes owed by fifteen days after the**  
12 **delinquent date or fifteen days after the certified mailing date, whichever is later.**

13 **3. No penalty or interest imposed under any law shall be charged on any real or personal**  
14 **property tax when there is clear and convincing evidence that the county made an error or**  
15 **omission in determining taxes owed by a taxpayer.**

16 **[2.] 4. Any taxpayer claiming that the county made an error or omission in determining**  
17 **taxes owed may submit a written request for a refund of penalties, interest, or taxes to the county**  
18 **commission or governing body of the county. If the county commission or governing body of**  
19 **the county approves the refund, then such penalties, interest, or taxes shall be refunded as**  
20 **provided in [subsection 6 of] section 139.031. The county commission shall approve or**  
21 **disapprove the taxpayer's written request within thirty days of receiving said request. The county**

22 collector shall refund penalties, interest, and taxes if the county made an error or omission in  
23 determining taxes owed by the taxpayer.

24 [3.] 5. Nothing in this section shall relieve a taxpayer from paying taxes owed by  
25 December thirty-first and paying penalties and interest owed for failing to pay all taxes by  
26 December thirty-first, **except as provided with regard to penalties and interest by subsection**  
27 **2 of this section.**

66.010. 1. Any county framing and adopting a charter for its own government under the  
2 provisions of section 18, article VI of the constitution of this state, may prosecute and punish  
3 violations of its county ordinances in the circuit court of such counties in the manner and to the  
4 extent herein provided or in a county municipal court. In addition, the county may prosecute and  
5 punish municipal ordinance violations in the county municipal court pursuant to a contract with  
6 any municipality within the county. Any county municipal court established pursuant to the  
7 provisions of this section shall have jurisdiction over violations of that county's ordinances and  
8 the ordinances of municipalities with which the county has a contract to prosecute and punish  
9 violations of municipal ordinances of the city. Costs and procedures in any such county  
10 municipal court shall be governed by the provisions of law relating to municipal ordinance  
11 violations in municipal divisions of circuit courts.

12 2. In any county which has elected to establish a county municipal court pursuant to this  
13 section, the judges for such court shall be appointed by the county executive of such county,  
14 subject to confirmation by the legislative body of such county in the same manner as  
15 confirmation for other county appointed officers. The number of judges appointed, and  
16 qualifications for their appointment, shall be established by ordinance of the county.

17 3. The number of divisions of such county municipal court and its term shall be  
18 established by ordinance of the county.

19 4. Except in any county with a charter form of government and with more than six  
20 hundred thousand but fewer than seven hundred thousand inhabitants, the ordinance of the  
21 county shall provide for regular sessions of court in the evening hours after 6:00 p.m. and at  
22 locations outside the county seat. In any county with a charter form of government and with  
23 more than six hundred thousand but fewer than seven hundred thousand inhabitants, the  
24 ordinance of the county may provide for regular sessions of court in the evening hours after 6:00  
25 p.m. and at locations outside the county seat.

26 5. Judges of the county municipal court shall be licensed to practice law in this state and  
27 shall [be residents of the county in which they serve] **meet any other requirements established**  
28 **by ordinance.** Municipal court judges shall not accept or handle cases in their practice of law

29 which are inconsistent with their duties as a municipal court judge and shall not be a judge or  
30 prosecutor for any other court.

31 6. In establishing the county municipal court, provisions shall be made for appropriate  
32 circumstances whereby defendants may enter not guilty pleas and obtain trial dates by telephone  
33 or written communication without personal appearance, or to plead guilty and deliver by mail  
34 or electronic transfer or other approved method the specified amount of the fine and costs as  
35 otherwise provided by law, within a specified period of time.

36 7. In a county municipal court established pursuant to this section, the county may  
37 provide by ordinance for court costs not to exceed the sum which may be provided by  
38 municipalities for municipal violations before municipal courts. The county municipal judge  
39 may assess costs against a defendant who pleads guilty or is found guilty except in those cases  
40 where the defendant is found by the judge to be indigent and unable to pay the costs. The costs  
41 authorized in this subsection are in addition to service costs, witness fees and jail costs that may  
42 otherwise be authorized to be assessed, but are in lieu of other court or judge costs or fees. Such  
43 costs shall be collected by the authorized clerk and deposited into the county treasury.

44 8. Provisions shall be made for recording of proceedings, except that if such proceedings  
45 are not recorded, then, in that event, a person aggrieved by a judgment of a traffic judge or  
46 commissioner shall have the right of a trial de novo. The procedures for perfecting the right of  
47 a trial de novo shall be the same as that provided under sections 512.180 to 512.320, except that  
48 the provisions of subsection 2 of section 512.180 shall not apply to such cases. In the event that  
49 such proceedings are recorded, all final decisions of the county municipal court shall be  
50 appealable on such record to the appellate court with appropriate jurisdiction.

51 9. Any person charged with the violation of a county ordinance in a county which has  
52 established a county municipal court under the provisions of this section shall, upon request, be  
53 entitled to a trial by jury before a county municipal court judge. Any jury trial shall be heard  
54 with a record being made.

55 10. In the event that a court is established pursuant to this section, the circuit judges of  
56 the judicial circuit with jurisdiction within that county may authorize the judges of the county  
57 municipal court to act as commissioners to hear in the first instance nonfelony violations of state  
58 law involving motor vehicles as provided by local rule.

**67.136. 1. Notwithstanding any other provisions to the contrary, any local  
2 governmental agency may utilize collections agencies to collect any debt as defined in this  
3 section.**

**4 2. For purposes of this section, the following terms shall mean:**

5           (1) "Debt", any court or administrative fines or costs associated with a criminal  
6 conviction or entry of a civil judgment which are legally owed and enforceable, and which  
7 are past due and remain uncollected;

8           (2) "Debtor", any individual or entity owing a debt.

          67.285. 1. The following political subdivisions may enter into, by direct negotiation  
2 or through the solicitation of requests for proposals or requests for qualifications, a  
3 multiyear, asset management professional service contract for the engineering, repair,  
4 sustainability, water quality management, and maintenance of an existing water storage  
5 tank and appurtenant facilities that does not change the size or capacity, which are owned,  
6 controlled, or operated by that political subdivision. Notwithstanding any other provision  
7 of law to the contrary, any of the following political subdivisions entering into or  
8 maintaining such an asset management professional services contract as described in this  
9 section shall not be required to pay prevailing wages for the maintenance work performed  
10 under such asset management contract. The provisions of this section shall apply only if  
11 the contract complies with subsection 2 of this section:

12           (1) County commissioners, a board of directors of a public water supply district,  
13 a board of soil and water district supervisors, a board of trustees of a sanitary district, or  
14 a board of trustees of a sewer district;

15           (2) A municipal corporation through its director, mayor, city manager, village  
16 administrator, or other contracting officer, commission, board, or authority as authorized  
17 by ordinance of the municipal corporation's legislative authority.

18           2. A contract entered into under subsection 1 of this section shall include provisions  
19 that do all of the following:

20           (1) Provide that the contracting political subdivision is not required to make total  
21 payments in a single year that exceed the excess of:

22           (a) The political subdivision's water utility charges less;

23           (b) The operating expenses of the water system payable from such charges and the  
24 principal, interest, and other debt charges, including reserves and coverage requirements,  
25 for outstanding debt due in that year;

26           (2) Require that the work performed be done under the supervision of a  
27 professional engineer licensed under chapter 327, who certifies that the work will be  
28 performed in compliance with all applicable codes and engineering standards; and

29           (3) Provide that if, on the date of commencement of the contract, the water tank or  
30 appurtenant facilities require engineering, repair, sustainability, water quality  
31 management, or service in order to bring the tank or facilities into compliance with federal,

32 state, or local requirements, the party contracting with the political subdivision shall  
33 provide the engineering, repair, sustainability, water quality management, or service. The  
34 cost of the work necessary to ensure such compliance shall be itemized separately and may  
35 be charged to the political subdivision in payments spread over a period of not less than  
36 three years from the date of commencement of the contract. The charges shall be paid  
37 after provision is made to pay operating expenses and the principal, interest, and other  
38 debt service charges, including reserves and coverage requirements for outstanding debt  
39 due in that year.

67.312. In any county with a charter form of government and with more than three  
2 hundred thousand but fewer than four hundred fifty thousand inhabitants, if any city,  
3 town, village, sewer district, or water supply district does not actually process or treat  
4 sewage or wastewater but pays a premium or fee to another entity for such service, the city,  
5 town, village, sewer district, or water supply district shall not charge and collect from its  
6 customers a premium or fee of more than two hundred percent more than the premium or  
7 fee it pays to such other entity without a majority vote of the qualified voters voting  
8 thereon.

67.320. 1. Any county of the first classification [with more than one hundred  
2 ninety-eight thousand but less than one hundred ninety-nine thousand two hundred inhabitants]  
3 may prosecute and punish violations of its county orders in the circuit court of such counties in  
4 the manner and to the extent herein provided or in a county municipal court if creation of a  
5 county municipal court is approved by order of the county commission. The county may adopt  
6 orders with penal provisions consistent with state law, but only in the areas of traffic violations,  
7 solid waste management, county building codes, on-site sewer treatment, zoning orders, and  
8 animal control. Any county municipal court established pursuant to the provisions of this section  
9 shall have jurisdiction over violations of that county's orders and the ordinances of municipalities  
10 with which the county has a contract to prosecute and punish violations of municipal ordinances  
11 of the municipality.

12 2. **Except as provided in subsection 5 of this section** in any county which has elected  
13 to establish a county municipal court pursuant to this section, the judges for such court shall be  
14 appointed by the county commission of such county, subject to confirmation by the legislative  
15 body of such county in the same manner as confirmation for other county appointed officers.  
16 The number of judges appointed, and qualifications for their appointment, shall be established  
17 by order of the commission.

18           3. The practice and procedure of each prosecution shall be conducted in compliance with  
19 all of the terms and provisions of sections 66.010 to 66.140, except as provided for in this  
20 section.

21           4. Any use of the term ordinance in sections 66.010 to 66.140 shall be synonymous with  
22 the term order for purposes of this section.

23           **5. In any county of the first classification with more than one hundred one**  
24 **thousand but fewer than one hundred fifteen thousand inhabitants the first judges shall**  
25 **be appointed by the county commission for a term of four years, and thereafter the judges**  
26 **shall be elected for a term of four years. The number of judges appointed, and**  
27 **qualifications for their appointment, shall be established by order of the commission.**

          67.1018. 1. The governing body of any county of the third classification without a  
2 township form of government and with more than five thousand nine hundred but fewer than six  
3 thousand inhabitants may impose a tax on the charges for all sleeping rooms, **RV sites, and**  
4 **campsites** paid by the transient guests of hotels [or] , motels, **lodges, bed and breakfasts,**  
5 **cabins, RV parks, and campgrounds** situated in the county or a portion thereof, which shall  
6 not be **less than two percent nor** more than five percent per occupied room, **RV site, and**  
7 **campsite** per night, except that such tax shall not become effective unless the governing body  
8 of the county submits to the voters of the county at a state general or primary election a proposal  
9 to authorize the governing body of the county to impose a tax under this section. The tax  
10 authorized in this section shall be in addition to the charge for the sleeping room, **RV site, or**  
11 **campsite** and all other taxes imposed by law, and [fifty percent of] the proceeds of such tax shall  
12 be used [by the county to fund law enforcement with the remaining fifty percent of such proceeds  
13 to be used] to fund the promotion, **operation, and development** of tourism. Such tax shall be  
14 stated separately from all other charges and taxes.

15           2. The ballot of submission for the tax authorized in this section shall be in substantially  
16 the following form:

17           Shall ..... (insert the name of the county) impose a tax on the charges for all sleeping  
18 rooms, **RV sites, and campsites** paid by the transient guests of hotels [and] , motels, **lodges, bed**  
19 **and breakfasts, cabins, RV parks, and campgrounds** situated in ..... (name of county) at  
20 a rate of ..... (insert rate of percent) percent for the [benefit of the county] **promotion, operation,**  
21 **and development of tourism?**

22                           ☐ YES

☐ NO

23

24           If a majority of the votes cast on the question by the qualified voters voting thereon are in favor  
25 of the question, then the tax shall become effective on the first day of the second calendar quarter



26 following the calendar quarter in which the election was held. If a majority of the votes cast on  
27 the question by the qualified voters voting thereon are opposed to the question, then the tax  
28 authorized by this section shall not become effective unless and until the question is resubmitted  
29 under this section to the qualified voters of the county and such question is approved by a  
30 majority of the qualified voters of the county voting on the question.

67.2010. 1. Any county of the first classification with more than eighty-two thousand  
2 but less than eighty-two thousand one hundred inhabitants **and any county of the first**  
3 **classification with more than two hundred sixty thousand but fewer than three hundred**  
4 **thousand inhabitants** may elect to have the violations of county ordinances adopted pursuant  
5 to [section 304.130] **the authority provided by statute** heard and determined by an associate  
6 circuit judge of the circuit in which the county is located; provided, however, if such election is  
7 made, all violations of that county's ordinances adopted pursuant to [section 304.130] **statutory**  
8 **authority** shall be heard and determined before an associate circuit judge or judges. Nothing  
9 in this subsection shall preclude the transfer or assignment of another judge to hear and  
10 determine a case or class of cases when otherwise authorized by provisions of the constitution,  
11 law, or court rule.

12 2. If a county elects to have the violations of its county ordinances [adopted pursuant to  
13 section 304.130] heard and determined by an associate circuit judge, the associate circuit judge  
14 or judges shall commence hearing and determining such violations six months after the county  
15 notifies the presiding judge of the circuit of its election. With the consent of the presiding judge,  
16 the associate circuit judge or judges may commence hearing such violations at an earlier date.

**71.289. Notwithstanding any provision of law to the contrary, any municipal**  
2 **corporation that may be required by law to award contracts may comply with section**  
3 **67.285 regarding any contract for the engineering, repair, sustainability, water quality**  
4 **management, and maintenance of an existing water storage tank and appurtenant facilities.**

79.050. 1. The following officers shall be elected by the qualified voters of the city, and  
2 shall hold office for the term of two years, except as otherwise provided in this section, and until  
3 their successors are elected and qualified, to wit: mayor and board of aldermen. The board of  
4 aldermen may provide by ordinance, after the approval of a majority of the voters voting at an  
5 election at which the issue is submitted, for the appointment of a collector and for the  
6 appointment of a chief of police, who shall perform all duties required of the marshal by law, and  
7 any other police officers found by the board of aldermen to be necessary for the good government  
8 of the city. The marshal or chief of police shall be twenty-one years of age or older. If the board  
9 of aldermen does not provide for the appointment of a chief of police and collector as provided  
10 by this section, a city marshal, who shall be twenty-one years of age or older, and collector shall

11 be elected[, and] . The board of aldermen may provide by ordinance **that the city marshal shall**  
12 **be appointed instead of elected, and** that the same person may be elected **or appointed**  
13 marshal and collector, [at the same election,] and hold both offices **at the same time**, and the  
14 board of aldermen may provide by ordinance for the election of city assessor, city attorney, city  
15 clerk and street commissioner, who shall hold their respective offices for a term of two years and  
16 until their successors shall be elected or appointed and qualified, except that the term of the city  
17 marshal shall be four years.

18 2. The board of aldermen may provide by ordinance, after the approval of a majority of  
19 the voters voting thereon at the next municipal election at which the issue is submitted, that the  
20 term of the collector shall be four years and the term of the mayor shall be two, three, or four  
21 years. Any person elected as collector after the passage of such an ordinance shall serve for a  
22 term of four years and until his successor is elected and qualified. Any person elected as mayor  
23 after the passage of such ordinance shall serve for a term of two, three, or four years, as provided,  
24 and until his successor is elected and qualified.

25 3. The board of aldermen may provide by ordinance that the term of the board of  
26 aldermen shall be four years. Such ordinance shall be submitted by the board to the voters of the  
27 city and shall take effect only upon the approval of a majority of the voters voting at an election  
28 at which the issue is submitted. Any person elected to the board of aldermen after the passage  
29 of such an ordinance shall serve for a term of four years and until his successor is elected and  
30 qualified.

79.055. 1. Any person who is **appointed, or** elected **in a general election or in a**  
2 **special election**, to his first term as city marshal [in a general election or in a special election]  
3 in any fourth class city of this state shall, within six months of such **appointment or** election,  
4 cause to be filed with the city clerk of the city and director of the department of public safety  
5 proof that he has completed the training program formulated pursuant to sections 590.170 and  
6 590.175, or some other comparable training program of not less than one hundred twenty hours'  
7 instruction approved by the director of the department of public safety. If the newly **appointed**  
8 **or** elected city marshal is unable to complete the training program within six months due to the  
9 proper course not being available from the department of public safety, an extension may be  
10 granted until such a course is made available.

11 2. Whether any person **appointed or** elected to his first term as city marshal attends such  
12 a training program prior to or after assuming the duties of his office shall be left to the discretion  
13 of the governing body of the city from which he was **appointed or** elected. During the time that  
14 a [marshal-elect] **person** is enrolled in such a training program, he shall be hired as a city

15 employee and receive as full compensation from the city from which he was elected,  
16 compensation at a rate equal to that of city marshal.

94.902. 1. **(1) The governing body of the following cities may impose a sales tax as provided in this section:**

3 **(a)** Any city of the third classification with more than twenty-six thousand three hundred  
4 but less than twenty-six thousand seven hundred inhabitants[, or] ;

5 **(b)** Any city of the fourth classification with more than thirty thousand three hundred but  
6 fewer than thirty thousand seven hundred inhabitants[, or] ;

7 **(c)** Any city of the fourth classification with more than twenty-four thousand eight  
8 hundred but fewer than twenty-five thousand inhabitants[,] ;

9 **(d) Any city of the third classification with more than four thousand but fewer than**  
10 **four thousand five hundred inhabitants and located in any county of the first classification**  
11 **with more than two hundred thousand but fewer than two hundred sixty thousand**  
12 **inhabitants.**

13 **(2) The governing body of any city listed in subdivision (1) of this subsection** may  
14 impose, by order or ordinance, a sales tax on all retail sales made in the city which are subject  
15 to taxation under chapter 144. The tax authorized in this section may be imposed in an amount  
16 of up to one-half of one percent, and shall be imposed solely for the purpose of improving the  
17 public safety for such city, including but not limited to expenditures on equipment, city employee  
18 salaries and benefits, and facilities for police, fire and emergency medical providers. The tax  
19 authorized in this section shall be in addition to all other sales taxes imposed by law, and shall  
20 be stated separately from all other charges and taxes. The order or ordinance imposing a sales  
21 tax under this section shall not become effective unless the governing body of the city submits  
22 to the voters residing within the city, at a county or state general, primary, or special election, a  
23 proposal to authorize the governing body of the city to impose a tax under this section.

24 2. The ballot of submission for the tax authorized in this section shall be in substantially  
25 the following form:

26 Shall the city of ..... (city's name) impose a citywide sales tax at  
27 a rate of ..... (insert rate of percent) percent for the purpose of improving the public safety of  
28 the city?

29 ☐ YES

☐ NO

30  
31 If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed  
32 to the question, place an "X" in the box opposite "NO". If a majority of the votes cast on the  
33 proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance

34 or order and any amendments to the order or ordinance shall become effective on the first day  
35 of the second calendar quarter after the director of revenue receives notice of the adoption of the  
36 sales tax. If a majority of the votes cast on the proposal by the qualified voters voting thereon  
37 are opposed to the proposal, then the tax shall not become effective unless the proposal is  
38 resubmitted under this section to the qualified voters and such proposal is approved by a majority  
39 of the qualified voters voting on the proposal. However, in no event shall a proposal under this  
40 section be submitted to the voters sooner than twelve months from the date of the last proposal  
41 under this section.

42 3. Any sales tax imposed under this section shall be administered, collected, enforced,  
43 and operated as required in section 32.087. All sales taxes collected by the director of the  
44 department of revenue under this section on behalf of any city, less one percent for cost of  
45 collection which shall be deposited in the state's general revenue fund after payment of premiums  
46 for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which  
47 is hereby created in the state treasury, to be known as the "City Public Safety Sales Tax Trust  
48 Fund". The moneys in the trust fund shall not be deemed to be state funds and shall not be  
49 commingled with any funds of the state. The provisions of section 33.080 to the contrary  
50 notwithstanding, money in this fund shall not be transferred and placed to the credit of the  
51 general revenue fund. The director shall keep accurate records of the amount of money in the  
52 trust fund and which was collected in each city imposing a sales tax under this section, and the  
53 records shall be open to the inspection of officers of the city and the public. Not later than the  
54 tenth day of each month the director shall distribute all moneys deposited in the trust fund during  
55 the preceding month to the city which levied the tax. Such funds shall be deposited with the city  
56 treasurer of each such city, and all expenditures of funds arising from the trust fund shall be by  
57 an appropriation act to be enacted by the governing body of each such city. Expenditures may  
58 be made from the fund for any functions authorized in the ordinance or order adopted by the  
59 governing body submitting the tax to the voters. If the tax is repealed, all funds remaining in the  
60 special trust fund shall continue to be used solely for the designated purposes. Any funds in the  
61 special trust fund which are not needed for current expenditures shall be invested in the same  
62 manner as other funds are invested. Any interest and moneys earned on such investments shall  
63 be credited to the fund.

64 4. The director of the department of revenue may authorize the state treasurer to make  
65 refunds from the amounts in the trust fund and credited to any city for erroneous payments and  
66 overpayments made, and may redeem dishonored checks and drafts deposited to the credit of  
67 such cities. If any city abolishes the tax, the city shall notify the director of the action at least  
68 ninety days before the effective date of the repeal, and the director may order retention in the

69 trust fund, for a period of one year, of two percent of the amount collected after receipt of such  
70 notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and  
71 drafts deposited to the credit of such accounts. After one year has elapsed after the effective date  
72 of abolition of the tax in such city, the director shall remit the balance in the account to the city  
73 and close the account of that city. The director shall notify each city of each instance of any  
74 amount refunded or any check redeemed from receipts due the city.

75 5. The governing body of any city that has adopted the sales tax authorized in this section  
76 may submit the question of repeal of the tax to the voters on any date available for elections for  
77 the city. The ballot of submission shall be in substantially the following form:

78 Shall ..... (insert the name of the city) repeal the sales tax  
79 imposed at a rate of ..... (insert rate of percent) percent for the purpose of improving the public  
80 safety of the city?

81 ☐ YES

☐ NO

82

83 If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become  
84 effective on December thirty-first of the calendar year in which such repeal was approved. If a  
85 majority of the votes cast on the question by the qualified voters voting thereon are opposed to  
86 the repeal, then the sales tax authorized in this section shall remain effective until the question  
87 is resubmitted under this section to the qualified voters, and the repeal is approved by a majority  
88 of the qualified voters voting on the question.

89 6. Whenever the governing body of any city that has adopted the sales tax authorized in  
90 this section receives a petition, signed by ten percent of the registered voters of the city voting  
91 in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this  
92 section, the governing body shall submit to the voters of the city a proposal to repeal the tax. If  
93 a majority of the votes cast on the question by the qualified voters voting thereon are in favor of  
94 the repeal, that repeal shall become effective on December thirty-first of the calendar year in  
95 which such repeal was approved. If a majority of the votes cast on the question by the qualified  
96 voters voting thereon are opposed to the repeal, then the tax shall remain effective until the  
97 question is resubmitted under this section to the qualified voters and the repeal is approved by  
98 a majority of the qualified voters voting on the question.

99 7. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall  
100 apply to the tax imposed under this section.

137.556. 1. Notwithstanding the provisions of section 137.555, any county of the second  
2 class which now has or may hereafter have more than one hundred thousand inhabitants, and any  
3 county of the first class not having a charter form of government, shall expend not less than

4 twenty-five percent of the moneys accruing to it from the county's special road and bridge tax  
5 levied upon property situated within the limits of any city, town or village within the county for  
6 the repair and improvement of existing roads, streets and bridges within the city, town or village  
7 from which such moneys accrued, **except that any county of the second classification with**  
8 **more than sixty-five thousand but fewer than seventy-five thousand inhabitants shall not**  
9 **be required to expend such moneys as prescribed in this section.**

10 2. The city council or other governing body of the city, town or village shall designate  
11 the roads, streets and bridges to be repaired and improved and shall specify the kinds and types  
12 of materials to be used.

13 3. The county commission may make and supervise the improvements or the city, town  
14 or village, with the consent and approval of the county commission, may provide for the repairs  
15 and improvement by private contract and, in either case, the county commission shall pay the  
16 costs thereof out of any funds available under the provisions of this section.

141.210. Sections 141.210 to 141.810 **and sections 141.980 to 141.1015** shall be known  
2 by the short title of "Land Tax Collection Law".

141.220. The following words, terms and definitions, when used in sections 141.210 to  
2 141.810 **and sections 141.980 to 141.1015**, shall have the meanings ascribed to them in this  
3 section, except where the text clearly indicates a different meaning:

4 (1) **"Ancillary parcel" shall mean a parcel of real estate acquired by a land bank**  
5 **agency other than:**

6 (a) **Pursuant to a deemed sale under subsection 3 of section 141.560;**

7 (b) **By deed from land trust under subsection 1 of section 141.984; or**

8 (c) **Pursuant to a sale under subdivision (2) of subsection 2 of section 141.550;**

9 (2) **"Appraiser"** shall mean a state licensed or certified appraiser licensed or certified  
10 pursuant to chapter 339 who is not an employee of the collector or collection authority;

11 (3) **"Board" or "board of commissioners" shall mean the board of commissioners**  
12 **of a land bank agency;**

13 [(2)] (4) **"Collector"** shall mean the collector of the revenue in any county affected by  
14 sections 141.210 to 141.810 **and sections 141.980 to 141.1015;**

15 [(3)] (5) **"County"** shall mean any county [of the first class] in this state having a charter  
16 form of government, any county of the first class [not having a charter form of government] with  
17 a population of at least one hundred fifty thousand but less than one hundred sixty thousand and  
18 any county of the first class [not having a charter form of government] with a population of at  
19 least eighty-two thousand but less than eighty-five thousand;

20 [(4)] (6) "Court" shall mean the circuit court of any county affected by sections 141.210  
21 to 141.810 **and sections 141.980 to 141.982;**

22 [(5)] (7) "Delinquent land tax attorney" shall mean a licensed attorney-at-law, employed  
23 or designated by the collector as hereinafter provided;

24 [(6)] (8) **"Land bank agency", an agency created under section 141.980;**

25 (9) "Land taxes" shall mean taxes on real property or real estate and shall include the  
26 taxes both on land and the improvements thereon;

27 [(7)] (10) "Land trustees" and "land trust" shall mean the land trustees and land trust as  
28 the same are created by and described in section 141.700;

29 [(8)] (11) "Municipality" shall include any incorporated city or town, or a part thereof,  
30 located in whole or in part within a county of class one **or located in whole or in part within**  
31 **a county with a charter form of government**, which municipality now has or which may  
32 hereafter contain a population of two thousand five hundred inhabitants or more, according to  
33 the last preceding federal decennial census;

34 [(9)] (12) "Person" shall mean any individual, male or female, firm, copartnership, joint  
35 adventure, association, corporation, estate, trust, business trust, receiver or trustee appointed by  
36 any state or federal court, trustee otherwise created, syndicate, or any other group or combination  
37 acting as a unit, and the plural as well as the singular number;

38 (13) **"Political subdivision" shall mean any county, city, town, village, school**  
39 **district, library district, or any other public subdivision or public corporation having the**  
40 **power to tax;**

41 (14) **"Reserve period taxes" shall mean land taxes assessed against any parcel of**  
42 **real estate sold or otherwise disposed of by a land bank agency for the first three tax years**  
43 **following such sale or disposition;**

44 [(10)] (15) "School district", "road district", "water district", "sewer district", "levee  
45 district", "drainage district", "special benefit district", "special assessment district", or "park  
46 district" shall include those located within a county as such county is described in subdivision  
47 (3) of this section;

48 [(11)] (16) "Sheriff" and "circuit clerk" shall mean the sheriff and circuit clerk,  
49 respectively, of any county affected by sections 141.210 to 141.810 **and sections 141.980 to**  
50 **141.1015;**

51 [(12)] (17) "Tax bill" as used in sections 141.210 to 141.810 **and sections 141.980 to**  
52 **141.1015** shall represent real estate taxes and the lien thereof, whether general or special, levied  
53 and assessed by any taxing authority;

54           [(13)] **(18)** "Tax district" shall mean the state of Missouri and any county, municipality,  
55 school district, road district, water district, sewer district, levee district, drainage district, special  
56 benefit district, special assessment district, or park district, located in any municipality or county  
57 as herein described;

58           [(14)] **(19)** "Tax lien" shall mean the lien of any tax bill as defined in [subdivision (12)  
59 of] this section;

60           [(15)] **(20)** "Taxing authority" shall include any governmental, managing, administering  
61 or other lawful authority, now or hereafter empowered by law to issue tax bills, the state of  
62 Missouri or any county, municipality, school district, road district, water district, sewer district,  
63 levee district, drainage district, special benefit district, special assessment district, or park  
64 district, affected by sections 141.210 to 141.810 **and sections 141.980 to 141.1015.**

141.250. 1. The respective liens of the tax bills for general taxes of the state of Missouri,  
2 the county, any municipality and any school district, for the same tax year, shall be equal and  
3 first liens upon the real estate described in the respective tax bills thereof; provided, however,  
4 that the liens of such tax bills for the latest year for which tax bills are unpaid shall take priority  
5 over the liens of tax bills levied and assessed for less recent years, and the lien of such tax bills  
6 shall rate in priority in the order of the years for which they are delinquent, the lien of the tax bill  
7 longest delinquent being junior in priority to the lien of the tax bill for the next most recent tax  
8 year.

9           2. All tax bills for other than general taxes shall constitute liens junior to the liens for  
10 general taxes upon the real estate described therein; provided, however, that a tax bill for other  
11 than general taxes, of the more recent issue shall likewise be senior to any such tax bill of less  
12 recent date.

13           3. The proceeds derived from the sale of any lands encumbered with a tax lien or liens,  
14 or held by the land trustees, **pursuant to a sale under subdivision (2) of subsection 2 of**  
15 **section 141.550, acquired by a land bank agency pursuant to a deemed sale under**  
16 **subsection 3 of section 141.560, or by deed from land trust under subsection 1 of section**  
17 **141.984** shall be distributed to the owners of such liens in the order of the seniority of the liens,  
18 or their respective interests as shown by the records of the land trust **or such land bank agency.**  
19 Those holding liens of equal rank shall share in direct proportion to the amounts of their  
20 respective liens.

141.290. 1. The collector shall compile lists of all state, county, school, and other tax  
2 bills collectible by him which are delinquent according to his records and he shall combine such  
3 lists with the list filed by any taxing authority or tax bill owner.



4           2. The collector shall assign a serial number to each parcel of real estate in each list and  
5 if suit has been filed in the circuit court of the county on any delinquent tax bill included in any  
6 list, the collector shall give the court docket number of such suit and some appropriate  
7 designation of the place where such suit is pending, and such pending suit so listed in any  
8 petition filed pursuant to the provisions of sections 141.210 to 141.810 **and sections 141.980**  
9 **to 141.1015** shall, without further procedure or court order, be deemed to be consolidated with  
10 the suit brought under sections 141.210 to 141.810 **and sections 141.980 to 141.1015**, and such  
11 pending suit shall thereupon be abated.

12           3. The collector shall deliver such combined lists to the delinquent land tax attorney from  
13 time to time but not later than April the first of each year.

14           4. The delinquent land tax attorney shall incorporate such lists in petitions in the form  
15 prescribed in section 141.410, and shall file such petitions with the circuit clerk not later than  
16 June first of each year.

141.300. 1. The collector shall receipt for the aggregate amount of such delinquent tax  
2 bills appearing on the list or lists filed with him under the provisions of section 141.290, which  
3 receipt shall be held by the owner or holder of the tax bills or by the treasurer or other  
4 corresponding financial officer of the taxing authority so filing such list with the collector.

5           2. The collector shall, on or before the fifth day of each month, file with the owner or  
6 holder of any tax bill or with the treasurer or other corresponding financial officer of any taxing  
7 authority, a detailed statement, verified by affidavit, of all taxes collected by him during the  
8 preceding month which appear on the list or lists received by him, and shall, on or before the  
9 fifteenth day of the month, pay the same, less his commissions and costs payable to the county,  
10 to the tax bill owner or holder or to the treasurer or other corresponding financial officer of any  
11 taxing authority; provided, however, that the collector shall be given credit for the full amount  
12 of any tax bill which is bid in by the land trustees and where title to the real estate described in  
13 such tax bill is taken by the land trust, **which is bid in by a land bank agency and where title**  
14 **to the real estate described in such tax bill is taken by such land bank agency pursuant to**  
15 **a deemed sale under subsection 3 of section 141.560, or which is included in the bid of a**  
16 **land bank agency and where title to the real estate described in such tax bill is taken by**  
17 **such land bank agency pursuant to a sale under subdivision (2) of subsection 2 of section**  
18 **141.550.**

141.320. 1. The collector shall at his option appoint a delinquent land tax attorney at a  
2 compensation of ten thousand dollars per year, or in counties having a county counselor, the  
3 collector shall at his option designate the county counselor and such of his assistants as shall  
4 appear necessary to act as the delinquent land tax attorney.

5           2. A delinquent land tax attorney who is not the county counselor, with the approval of  
6 the collector, may appoint one or more assistant delinquent land tax attorneys at salaries of not  
7 less than two hundred dollars and not more than four hundred dollars per month, and such  
8 clerical employees as may be necessary, at salaries to be fixed by the collector at not less than  
9 three hundred dollars and not more than four hundred dollars per month; and the appointed  
10 delinquent tax attorney may incur such reasonable expenses as are necessary for the performance  
11 of his duties.

12           3. The delinquent land tax attorney and his assistants shall perform legal services for the  
13 collector and shall act as attorney for him in the prosecution of all suits brought for the collection  
14 of land taxes; but they shall not perform legal services for the land trust **or any land bank**  
15 **agency**.

16           4. Salaries and expenses of a delinquent land tax attorney who is not also the county  
17 counselor, his assistants and his employees shall be paid monthly out of the treasury of the  
18 county from the same funds as employees of the collector whenever the funds provided for by  
19 sections 141.150, 141.270, and 141.620 are not sufficient for such purpose.

20           5. The compensation herein provided shall be the total compensation for a delinquent  
21 land tax attorney who is not also a county counselor, his assistants and employees, and when the  
22 compensation received by him or owing to him by the collector exceeds ten thousand dollars in  
23 any one calendar year by virtue of the sums charged and collected pursuant to the provisions of  
24 section 141.150, the surplus shall be credited and applied by the collector to the expense of the  
25 delinquent land tax attorney and to the compensation of his assistants and employees, and any  
26 sum then remaining shall be paid into the county treasury on or before the first day of March of  
27 each year and credited to the general revenue fund of the county.

28           6. A delinquent land tax attorney who is not also the county counselor shall make a  
29 return quarterly to the county commission of such county of all compensation received by him,  
30 and of all amounts owing to him by the collector, and of all salaries and expenses of any  
31 assistants and employees, stating the same in detail, and verifying such amounts by his affidavit.

141.410. 1. A suit for the foreclosure of the tax liens herein provided for shall be  
2 instituted by filing in the appropriate office of the circuit clerk a petition, which petition shall  
3 contain a caption, a copy of the list so furnished to the delinquent land tax attorney by the  
4 collector, and a prayer. Such petition without further allegation shall be deemed to be sufficient.

5           2. The caption shall be in the following form:

6           In the Circuit Court of ..... County, Missouri,

7           In the Matter of

8           Foreclosure of Liens for Delinquent Land Taxes

9 By Action in Rem.  
10 Collector of Revenue of .... County, Missouri,  
11 Plaintiff  
12 -vs.-  
13 Parcels of Land Encumbered with Delinquent Tax Liens  
14 Defendants.

15 3. The petition shall conclude with a prayer that all tax liens upon such real estate be  
16 foreclosed; that the court determine the amounts and priorities of all tax bills, together with  
17 interest, penalties, costs, and attorney's fees; that the court order such real estate to **either** be sold  
18 by the sheriff at public sale as provided by sections 141.210 to 141.810 **and sections 141.980**  
19 **to 141.1015** and that thereafter a report of such sale be made by the sheriff to the court for further  
20 proceedings under sections 141.210 to 141.810 **and sections 141.980 to 141.1015**.

21 4. The delinquent land tax attorney within ten days after the filing of any such petition,  
22 shall forward by United States registered mail to each person or taxing authority having filed a  
23 list of delinquent tax bills with the collector as provided by sections 141.210 to 141.810 **and**  
24 **sections 141.980 to 141.1015** a notice of the time and place of the filing of such petition and of  
25 the newspaper in which the notice of publication has been or will be published.

26 5. The petition when so filed shall have the same force and effect with respect to each  
27 parcel of real estate therein described, as a separate suit instituted to foreclose the tax lien or liens  
28 against any one of said parcels of real estate.

141.430. 1. Upon the filing of such suits with the circuit clerk, the delinquent land tax  
2 attorney shall forthwith cause a notice of foreclosure to be published four times, once a week,  
3 during successive weeks, and on the same day of each week, in a daily newspaper of general  
4 circulation regularly published in such county, qualified according to law for the publication of  
5 public notices and advertisements.

6 2. Such notice shall be in substantially the following form:

7 NOTICE OF FORECLOSURE OF LIENS FOR DELINQUENT LAND TAXES,  
8 BY ACTION IN REM

9 Public notice is hereby given that on the ..... day of ....., 20.., the Collector of Revenue  
10 of ..... County, Missouri, filed a petition, being suit No. ....., in the Circuit Court of ..... County,  
11 Missouri, at ..... (stating the city), for the foreclosure of liens for delinquent land taxes (except  
12 liens in favor of the United States of America, if any) against the real estate situated in such  
13 county, all as described in said petition.

14 The object of said suit is to obtain from the Court a judgment foreclosing the tax liens  
15 against such real estate and ordering the sale of such real estate for the satisfaction of said tax

16 liens thereon (except liens in favor of the United States of America, if any), including principal,  
17 interest, penalties, attorneys' fees and costs. Such action is brought against the real estate only  
18 and no personal judgment shall be entered therein.

19 The serial number assigned by the Collector to each parcel of real estate, a description  
20 of each such parcel, a statement of the total principal amount of all delinquent tax bills against  
21 each such parcel of real estate, all of which, as to each parcel, is more fully set out and itemized  
22 in the aforesaid petition, and the name of the last known person appearing on the records of the  
23 collector in whose name said tax bills were listed or charged for the year preceding the calendar  
24 year in which the list described in said petition was filed with the collector, are, respectively, as  
25 follows: (Here set out the respective serial numbers, descriptions, names, and statements of total  
26 principal amounts of tax bills, next above referred to.)

27 The total principal amounts of delinquent taxes set out in this notice do not include the  
28 lawful interest, penalties, attorneys' fees and costs which have accrued against the respective  
29 parcels of real estate, all of which in each case is set out and itemized in the aforesaid petition.

30 Any person or taxing authority owning or holding any tax bill or claiming any right, title  
31 or interest in or to or lien upon any such parcel of real estate, must file an answer to such suit in  
32 the office of the Circuit Clerk of the aforesaid County, and a copy of such answer with the  
33 Delinquent Land Tax Attorney at the office of the Collector of Revenue of said County, on or  
34 before the .... day of ....., 20.., and in such answer shall set forth in detail the nature and amount  
35 of such interest and any defense or objection to the foreclosure of the tax liens, or any affirmative  
36 relief he or it may be entitled to assert with respect thereto.

37 Any person having any right, title or interest in or to, or lien upon, any parcel of such real  
38 estate, may redeem such parcel of real estate by paying all of the sums mentioned therein, to the  
39 undersigned Collector of Revenue, including principal, interest, penalties, attorneys' fees and  
40 costs then due, at any time prior to the time of the **public foreclosure sale or the private**  
41 foreclosure sale of such real estate by the sheriff.

42 In the event of failure to answer or redeem on or before the date herein fixed as the last  
43 day for filing answer in the suit, by any person having the right to answer or redeem, such person  
44 shall be forever barred and foreclosed as to any defense or objection he might have to the  
45 foreclosure of such liens for delinquent taxes and a judgment of foreclosure may be taken by  
46 default. Redemption may be made, however, up to the time fixed for the holding of sheriff's  
47 **public foreclosure sale or the private** foreclosure sale **of any such real estate**, and thereafter  
48 there shall be no equity of redemption and each such person having any right, title or interest in  
49 or to, or any lien upon, any such parcel of real estate described in the petition so failing to answer

50 or redeem as aforesaid, shall be forever barred and foreclosed of any right, title or interest in or  
 51 lien upon or any equity of redemption in said real estate.

52 .....  
 53 Collector of Revenue .....  
 54 County, Missouri  
 55 .....  
 56 Address

57 .....  
 58 Delinquent Land Tax Attorney  
 59 .....  
 60 Address

61 .....  
 62 First Publication:  
 63 .....

141.440. The collector shall also cause to be prepared and sent by restricted, registered,  
 2 [or] certified **or first class** mail with postage prepaid, within thirty days after the filing of such  
 3 petition, a brief notice of the filing of the suit, to the persons named in the petition as being the  
 4 last known persons in whose names tax bills affecting the respective parcels of real estate  
 5 described in said petition were last billed or charged on the books of the collector, or the last  
 6 known owner of record, if different, and to the addresses of said persons upon said records of the  
 7 collector. [The terms "restricted", "registered" or "certified mail" as used in this section mean  
 8 mail which carries on the face thereof in a conspicuous place, where it will not be obliterated,  
 9 the endorsement "DELIVER TO ADDRESSEE ONLY", and which also requires a return receipt  
 10 or a statement by the postal authorities that the addressee refused to receive and receipt for such  
 11 mail.] If the notice is returned to the collector by the postal authorities as undeliverable for  
 12 reasons other than the refusal by the addressee to receive [and receipt for] the notice [as shown  
 13 by the return receipt], then the collector shall make a search of the records maintained by the  
 14 county, including those kept by the recorder of deeds, to discern the name and address of any  
 15 person who, from such records, appears as a successor to the person to whom the original notice  
 16 was addressed, and to cause another notice to be mailed to such person. The collector shall  
 17 prepare and file with the circuit clerk at least thirty days before judgment is entered by the court  
 18 on the petition an affidavit reciting to the court any name, address and serial number of the tract  
 19 of real estate affected by any such notices of suit that are undeliverable because of an addressee's  
 20 refusal to receive [and receipt for] the same, or of any notice otherwise nondeliverable by mail,  
 21 or in the event that any name or address does not appear on the records of the collector, then of

22 that fact. The affidavit in addition to the recitals set forth above shall also state reason for the  
23 nondelivery of such notice.

141.480. 1. Upon the trial of the cause upon the question of foreclosure, the tax bill,  
2 whether general or special, issued by any taxing authority shall be prima facie proof that the tax  
3 described in the tax bill has been validly assessed at the time indicated by the tax bill and that  
4 the tax is unpaid. Absent any answer the court shall take the allegations of the petition as  
5 confessed. Any person alleging any jurisdictional defect or invalidity in the tax bill or in the sale  
6 thereof must particularly specify in his answer the defect or basis of invalidity, and must, upon  
7 trial, affirmatively establish such defense.

8 2. Prior to formal hearing, the court may conduct an informal hearing for the purpose of  
9 clarifying issues, and shall attempt to reach an agreement with the parties upon a stipulated  
10 statement of facts. The court shall hear the evidence offered by the collector or relator as the  
11 case may be, and by all answering parties, and shall determine the amount of each and every tax  
12 bill proved by the collector or any answering party, together with the amount of interest,  
13 penalties, attorney's fees and costs accruing upon each tax bill and the date from which interest  
14 began to accrue upon each tax bill and the rate thereof. The court shall hear evidence and  
15 determine every issue of law and of fact necessary to a complete adjudication of all tax liens  
16 asserted by any and every pleading, and may also hear evidence and determine any other issue  
17 of law or fact affecting any other right, title, or interest in or to, or lien upon, such real estate,  
18 sought to be enforced by any party to the proceeding against any other party to the proceeding  
19 who has been served by process or publication as authorized by law, or who has voluntarily  
20 appeared, and shall determine the order and priority of the liens and of any other rights or interest  
21 put in issue by the pleadings.

22 3. After the court has first determined the validity of the tax liens of all tax bills affecting  
23 parcels of real estate described in the petition, the priorities of the respective tax bills and the  
24 amounts due thereon, including principal, interest, penalties, attorney's fees, and costs, the court  
25 shall thereupon enter judgment of foreclosure of such liens and fix the time and place of the  
26 foreclosure sale. The petition shall be dismissed as to any parcel of real estate redeemed prior  
27 to the time fixed for the sheriff's foreclosure sale as provided in sections 141.210 to 141.810 **and**  
28 **sections 141.980 to 141.1015**. If the parcel of real estate auctioned off at sheriff's is sold for a  
29 sum sufficient to fully pay the principal amount of all tax bills included in the judgment, together  
30 with interest, penalties, attorney's fees and costs, and for no more, and such sale is confirmed by  
31 the court, then all other proceedings as to such parcels of real estate shall be finally dismissed  
32 as to all parties and interests other than tax bill owners or holders; provided, however, that any  
33 parties seeking relief other than an interest in or lien upon the real estate may continue with said

34 suit to a final adjudication of such other issues; provided, further, an appeal may be had as to any  
35 claim attacking the validity of the tax bill or bills or the priorities as to payment of proceeds of  
36 foreclosure sale. If the parcel of real estate auctioned off at sheriff's foreclosure sale is sold for  
37 a sum greater than the total amount necessary to pay the principal amount of all tax bills included  
38 in the judgment, together with interest, penalties, attorney's fees and costs, and such sale is  
39 confirmed by the court, and no appeal is taken by any person claiming any right, title or interest  
40 in or to or lien upon said parcel of real estate or by any person or taxing authority owning or  
41 holding or claiming any right, title or interest in or to any tax bills within the time fixed by law  
42 for the filing of notice of appeal, the court shall thereupon order the sheriff to make distribution  
43 to the owners or holders of the respective tax bills included in the judgment of the amounts found  
44 to be due and in the order of priorities. Thereafter all proceedings in the suit shall be ordered by  
45 the court to be dismissed as to such persons or taxing authorities owning, holding or claiming  
46 any right, title, or interest in any such tax bill or bills so paid, and the case shall proceed as to any  
47 parties claiming any right, title, or interest in or lien upon the parcel of real estate affected by  
48 such tax bill or bills as to their respective claims to such surplus funds then remaining in the  
49 hands of the sheriff.

50 4. Whenever an answer is filed to the petition, as herein provided, a severance of the  
51 action as to all parcels of real estate affected by such answer shall be granted, and the issues  
52 raised by the petition and such answer shall be tried separate and apart from the other issues in  
53 the suit, but the granting of such severance shall not delay the trial or other disposition of any  
54 other issue in the case. A separate appeal may be taken from any action of the court affecting  
55 any right, title, or interest in or to, or lien upon, such real estate, other than issues of law and fact  
56 affecting the amount or validity of the lien of tax bills, but the proceeding to foreclose the lien  
57 of any tax bills shall not be stayed by such appeal. The trial shall be conducted by the court  
58 without the aid of a jury and the suit shall be in equity. This action shall take precedence over  
59 and shall be triable before any other action in equity affecting the title to such real estate, upon  
60 motion of any interested party.

141.500. 1. After the trial of the issues, the court shall, as promptly as circumstances  
2 permit, render judgment. If the court finds that no tax bill upon the land collectible by the  
3 collector or the relator was delinquent when the suit was instituted or tried, then the judgment  
4 of the court shall be that the cause be dismissed as to the parcels of real estate described in the  
5 tax bill; or, if the evidence warrant, the judgment may be for the principal amount of the  
6 delinquent tax bills upon the real estate upon which suit was brought, together with interest,  
7 penalties, attorney's and appraiser's fees and costs computed as of the date of the judgment. The  
8 judgment may recite the amount of each tax bill, the date when it began to bear interest, and the

9 rate of such interest, together with the rate and amount of penalties, attorney's and appraiser's fees  
10 [not to exceed fifteen dollars]. It may decree that the lien upon the parcels of real estate  
11 described in the tax bill be foreclosed and such real estate sold by the sheriff, and the cause shall  
12 be continued for further proceedings, as herein provided.

13 2. The collector may, at his option, cause to be prepared and sent by restricted,  
14 registered, [or] certified, **or first class** mail with postage prepaid, within thirty days after the  
15 rendering of such judgment, a brief notice of such judgment and the availability of a written  
16 redemption contract pursuant to section 141.530 to the persons named in the judgment as being  
17 the last known persons in whose names tax bills affecting the respective parcels of real estate  
18 described in such judgment were last billed or charged on the books of the collector, or the last  
19 known owner of record, if different, and to the addresses of such persons upon the records of the  
20 collector. [The terms "restricted", "registered" or "certified mail" as used in this section mean  
21 mail which carries on the face thereof in a conspicuous place, where it will not be obliterated,  
22 the endorsement, "DELIVER TO ADDRESSEE ONLY", and which also requires a return receipt  
23 or a statement by the postal authorities that the addressee refused to receive and receipt for such  
24 mail.] If the notice is returned to the collector by the postal authorities as undeliverable for  
25 reasons other than the refusal by the addressee to receive [and receipt for] the notice [as shown  
26 by the return receipt], then the collector shall make a search of the records maintained by the  
27 county, including those kept by the recorder of deeds, to discern the name and address of any  
28 person who, from such records, appears as a successor to the person to whom the original notice  
29 was addressed, and to cause another notice to be mailed to such person. The collector shall  
30 prepare and file with the circuit clerk prior to confirmation hearings an affidavit reciting to the  
31 court any name, address and serial number of the tract of real estate affected of any such notices  
32 of judgment that are undeliverable because of an addressee's refusal to receive [and receipt for]  
33 the same, or of any notice otherwise nondeliverable by mail, or in the event that any name or  
34 address does not appear on the records of the collector, then of that fact. The affidavit in  
35 addition to the recitals set forth above shall also state reason for the nondelivery of such notice.

141.530. 1. Except as otherwise provided in section 141.520, during such waiting period  
2 and at any time prior to the time of foreclosure sale by the sheriff, any interested party may  
3 redeem any parcel of real estate as provided by this chapter. During such waiting period and at  
4 any time prior to the time of foreclosure sale by the sheriff, the collector may, at the option of  
5 the party entitled to redeem, enter into a written redemption contract with any such party  
6 interested in any parcel of real estate, providing for payment in installments, monthly or  
7 bimonthly, of the delinquent tax bills, including interest, penalties, attorney's fees and costs  
8 charged against such parcel of real estate, provided, however, that in no instance shall such



9 installments exceed twelve in number or extend more than twenty-four months next after any  
10 agreement for such installment payments shall have been entered into; provided further, that  
11 upon good cause being shown by the owner of any parcel of real estate occupied as a homestead,  
12 or in the case of improved real estate with an assessed valuation of not more than three thousand  
13 five hundred dollars, owned by an individual, the income from such property being a major  
14 factor in the total income of such individual, or by anyone on his behalf, the court may, in its  
15 discretion, fix the time and terms of payment in such contract to permit all of such installments  
16 to be paid within not longer than forty-eight months after any order or agreement as to  
17 installment payments shall have been made.

18 2. So long as such installments be paid according to the terms of the contract, the said  
19 six months waiting period shall be extended, but if any installment be not paid when due, the  
20 extension of said waiting period shall be ended without notice, and the real estate shall forthwith  
21 be advertised for sale or included in the next notice of sheriff's foreclosure sale.

22 [3. No redemption contracts may be used under this section for residential property  
23 which has been vacant for at least six months in any municipality contained wholly or partially  
24 within a county with a population of over six hundred thousand and less than nine hundred  
25 thousand.]

2 [141.530. 1. Except as otherwise provided in section 141.520, during  
3 such waiting period and at any time prior to the time of foreclosure sale by the  
4 sheriff, any interested party may redeem any parcel of real estate as provided by  
5 this chapter. During such waiting period and at any time prior to the time of  
6 foreclosure sale by the sheriff, the collector may, at the option of the party  
7 entitled to redeem, enter into a written redemption contract with any such party  
8 interested in any parcel of real estate, other than a residential property which has  
9 been vacant for at least six months, providing for payment in installments,  
10 monthly or bimonthly, of the delinquent tax bills, including interest, penalties,  
11 attorney's fees and costs charged against such parcel of real estate, provided,  
12 however, that in no instance shall such installments exceed twelve in number or  
13 extend more than twenty-four months next after any agreement for such  
14 installment payments have been entered into; provided further, that upon good  
15 cause being shown by the owner of any parcel of real estate occupied as a  
16 homestead, or in the case of improved real estate with an assessed valuation of  
17 not more than three thousand five hundred dollars, owned by an individual, the  
18 income from such property being a major factor in the total income of such  
19 individual, or by anyone on the individual's behalf, the court may, in its  
20 discretion, fix the time and terms of payment in such contract to permit all of  
21 such installments to be paid within not longer than forty-eight months after any  
order or agreement as to installment payments being made.

29 Public Notice is hereby given that I . . . . ., Sheriff of . . . . . County,  
30 Missouri, will sell such real estate, parcel by parcel, at public auction, to the highest bidder, for  
31 cash, between the hours of nine o'clock A.M. and five o'clock P.M., at the . . . . . front door of

32 the . . . . . County Courthouse in . . . . ., Missouri, on . . . . ., the . . . . . day of . . . . ., 20..,  
33 and continuing from day to day thereafter, to satisfy the judgment as to each respective parcel  
34 of real estate sold. If no acceptable bids are received as to any parcel of real estate, said parcel  
35 shall be sold to the Land Trust of . . . . . (insert name of County), Missouri **or Land Bank of**  
36 **the City of . . . . . (insert name of municipality), Missouri.**

37 Any bid received shall be subject to confirmation by the court.

38 . . . . . Sheriff of . . . . . County, Missouri.

39 . . . . . Delinquent Land Tax Attorney

40 Address: . . . . .

41 First Publication . . . . .,

42 20. . .

43 3. Such advertisement shall be published four times, once a week, upon the same day of  
44 each week during successive weeks prior to the date of such sale, in a daily newspaper of general  
45 circulation regularly published in the county, qualified according to law for the publication of  
46 public notices and advertisements.

47 4. In addition to the provisions herein for notice and advertisement of sale, the county  
48 collector shall enter upon the property subject to foreclosure of these tax liens and post a written  
49 informational notice in any conspicuous location thereon. This notice shall describe the property  
50 and advise that it is the subject of delinquent land tax collection proceedings before the circuit  
51 court brought pursuant to sections 141.210 to 141.810 and that it may be sold for the payment  
52 of delinquent taxes at a sale to be held at ten o'clock a.m., date and place, and shall also contain  
53 a file number and the address and phone number of the collector. If the collector chooses to post  
54 such notices as authorized by this subsection, such posting must be made not later than the  
55 fourteenth day prior to the date of the sale.

56 5. The collector shall, concurrently with the beginning of the publication of sale, cause  
57 to be prepared and sent by restricted, registered [or] , certified, **or first class** mail with postage  
58 prepaid, a brief notice of the date, location, and time of sale of property in foreclosure of tax liens  
59 pursuant to sections 141.210 to 141.810, to the persons named in the petition as being the last  
60 known persons in whose names tax bills affecting the respective parcels of real estate described  
61 in said petition were last billed or charged on the books of the collector, or the last known owner  
62 of record, if different, and to the addresses of said persons upon said records of the collector.  
63 [The terms "restricted", "registered" or "certified mail" as used in this section mean mail which  
64 carries on the face thereof in a conspicuous place, where it will not be obliterated, the  
65 endorsement, "DELIVER TO ADDRESSEE ONLY", and which also requires a return receipt  
66 or a statement by the postal authorities that the addressee refused to receive and receipt for such

67 mail.] If the notice is returned to the collector by the postal authorities as undeliverable for  
68 reasons other than the refusal by the addressee to receive [and receipt for] the notice [as shown  
69 by the return receipt], then the collector shall make a search of the records maintained by the  
70 county, including those kept by the recorder of deeds, to discern the name and address of any  
71 person who, from such records, appears as a successor to the person to whom the original notice  
72 was addressed, and to cause another notice to be mailed to such person. The collector shall  
73 prepare and file with the circuit clerk prior to confirmation hearings an affidavit reciting to the  
74 court any name, address and serial number of the tract of real estate affected of any such notices  
75 of sale that are undeliverable because of an addressee's refusal to receive [and receipt for] the  
76 same, or of any notice otherwise nondeliverable by mail, or in the event that any name or address  
77 does not appear on the records of the collector, then of that fact. The affidavit in addition to the  
78 recitals set forth above shall also state reason for the nondelivery of such notice.

79         6. The collector may, at his or her option, concurrently with the beginning of the  
80 publication of sale, cause to be prepared and sent by restricted, registered [or] , certified, **or first**  
81 **class** mail with postage prepaid, a brief notice of the date, location, and time of sale of property  
82 in foreclosure of tax liens pursuant to sections 141.210 to 141.810, to the mortgagee or security  
83 holder, if known, of the respective parcels of real estate described in said petition, and to the  
84 addressee of such mortgagee or security holder according to the records of the collector. [The  
85 terms "restricted", "registered" or "certified mail" as used in this section mean mail which carries  
86 on the face thereof in a conspicuous place, where it will not be obliterated, the endorsement,  
87 "DELIVER TO ADDRESSEE ONLY", and which also requires a return receipt or a statement  
88 by the postal authorities that the addressee refused to receive and receipt for such mail.] If the  
89 notice is returned to the collector by the postal authorities as undeliverable for reasons other than  
90 the refusal by the addressee to receive [and receipt for] the notice [as shown by the return  
91 receipt], then the collector shall make a search of the records maintained by the county, including  
92 those kept by the recorder of deeds, to discern the name and address of any security holder who,  
93 from such records, appears as a successor to the security holder to whom the original notice was  
94 addressed, and to cause another notice to be mailed to such security holder. The collector shall  
95 prepare and file with the circuit clerk prior to confirmation hearings an affidavit reciting to the  
96 court any name, address and serial number of the tract of real estate affected by any such notices  
97 of sale that are undeliverable because of an addressee's refusal to receive [and receipt for] the  
98 same, or of any notice otherwise nondeliverable by mail, and stating the reason for the  
99 nondelivery of such notice.

141.550. 1. The sale shall be conducted, the sheriff's return thereof made, and the  
2 sheriff's deed pursuant to the sale executed, all as provided in the case of sales of real estate taken

under execution except as otherwise provided in sections 141.210 to 141.810, and provided that such sale need not occur during the term of court or while the court is in session.

2. The following provisions shall apply to any sale pursuant to this section of property located within any municipality contained wholly or partially within a county with a population of over six hundred thousand and less than nine hundred thousand:

(1) The sale shall be held on the day for which it is advertised, between the hours of nine o'clock a.m. and five o'clock p.m. and continued day to day thereafter to satisfy the judgment as to each respective parcel of real estate sold;

(2) **Except as otherwise provided in subsection 6 of section 141.984**, the sale shall be conducted publicly, by auction, for ready money. The highest bidder shall be the purchaser unless the highest bid is less than the full amount of all tax bills included in the judgment, interest, penalties, attorney's fees and costs then due thereon. No person shall be eligible to bid at the time of the sale unless such person has, no later than ten days before the sale date, demonstrated to the satisfaction of the official charged by law with conducting the sale that he or she is not the owner of any parcel of real estate in the county which is affected by a tax bill which has been delinquent for more than six months and is not the owner of any parcel of real property with two or more violations of the municipality's building or housing codes. A prospective bidder may make such a demonstration by presenting statements from the appropriate collection and code enforcement officials of the municipality. **Notwithstanding this provision, any taxing authority or land bank agency shall be eligible to bid at any sale conducted under this section without making such a demonstration.**

3. Such sale shall convey the whole interest of every person having or claiming any right, title or interest in or lien upon such real estate, whether such person has answered or not, subject to rights-of-way thereon of public utilities upon which tax has been otherwise paid, and subject to the lien thereon, if any, of the United States of America.

4. The collector shall advance the sums necessary to pay for the publication of all advertisements required by sections 141.210 to 141.810 and shall be allowed credit therefor in his or her accounts with the county. The collector shall give credit in such accounts for all such advances recovered by him or her. Such expenses of publication shall be apportioned pro rata among and taxed as costs against the respective parcels of real estate described in the judgment; provided, however, that none of the costs herein enumerated, including the costs of publication, shall constitute any lien upon the real estate after such sale.

141.560. 1. If, when the sheriff offers the respective parcels of real estate for sale, there be no bidders for any parcel, or there be insufficient time or opportunity to sell all of the parcels of real estate so advertised, the sheriff shall adjourn such sale from day to day at the same place

4 and commencing at the same hour as when first offered and shall announce that such real estate  
5 will be offered or reoffered for sale at such time and place.

6       **2. With respect to any parcel of real estate not located within a municipality that**  
7 **is an appointing authority under section 141.981,** in the event no bid equal to the full amount  
8 of all tax bills included in the judgment, interest, penalties, attorney's fees and costs then due  
9 thereon shall be received at such sale after any parcel of real estate has been offered for sale on  
10 three different days, which need not be successive, the land trustees shall be deemed to have bid  
11 the full amount of all tax bills included in the judgment, interest, penalties, attorney's fees and  
12 costs then due, and if no other bid be then received by the sheriff in excess of the bid of the  
13 trustees, and the sheriff shall so announce at the sale, then the bid of the trustees shall be  
14 announced as accepted. The sheriff shall report any such bid or bids so made by the land trustees  
15 in the same way as his report of other bids is made. **The land trust shall pay any penalties,**  
16 **attorney's fees or costs included in the judgment of foreclosure of such parcel of real estate,**  
17 **when such parcel is sold or otherwise disposed of by the land trustees, as herein provided.**  
18 **Upon confirmation by the court of such bid at such sale by such land trustees, the collector**  
19 **shall mark the tax bills so bid by the land trustees as "canceled by sale to the land trust"**  
20 **and shall take credit for the full amount of such tax bills, including principal amount,**  
21 **interest, penalties, attorney's fees, and costs, on the collector's books and in the collector's**  
22 **statements with any other taxing authorities.**

23       **3. [The land trustees shall pay any penalties, attorney's fees or costs included in the**  
24 **judgment of foreclosure of such parcel of real estate, when such parcel is sold or otherwise**  
25 **disposed of by the land trustees, as herein provided. Upon confirmation by the court of such bid**  
26 **at such sale by such land trustees, the collector shall mark the tax bills so bid by the land trustees**  
27 **as "canceled by sale to the land trust" and shall take credit for the full amount of such tax bills,**  
28 **including principal amount, interest, penalties, attorney's fees, and costs, on his books and in his**  
29 **statements with any other taxing authorities.] With respect to any parcel of real estate located**  
30 **within a municipality that is an appointing authority under section 141.981, in the event**  
31 **no bid equal to the full amount of all tax bills included in the judgment, interest, penalties,**  
32 **attorney's fees, and costs then due thereon shall be received at such sale after such parcel**  
33 **of real estate has been offered for sale on three different days, which need not be**  
34 **successive, the land bank agency for which such municipality is an appointing authority**  
35 **shall be deemed to have bid the full amount of all tax bills included in the judgment,**  
36 **interest, penalties, attorney's fees, and costs then due, and the sheriff shall so announce at**  
37 **the sale, then the bid of the land bank agency shall be announced as accepted. The sheriff**  
38 **shall report any such bid or bids so made by such land bank agency in the same way as the**

39 sheriff's report of other bids is made. Upon confirmation by the court of such bid at such  
40 sale by such land bank agency, the collector shall mark the tax bills so bid by such land  
41 bank agency as "canceled by sale to the land bank" and shall take credit for the full  
42 amount of such tax bills, including principal amount, interest, penalties, attorney's fees,  
43 and costs, on the collector's books and in the collector's statements with any other taxing  
44 authorities.

141.570. 1. The title to any real estate which shall vest in the land trust under the  
2 provisions of sections 141.210 to 141.810 and sections **141.980 to 141.1015** shall be held by  
3 the land trust of such county in trust for the tax bill owners and taxing authorities having an  
4 interest in any tax liens which were foreclosed, as their interests may appear in the judgment of  
5 foreclosure. **The title to any real estate acquired by a land bank agency pursuant to a**  
6 **deemed sale under subsection 3 of section 141.560, by deed from land trust under**  
7 **subsection 1 of section 141.984, or pursuant to a sale under subdivision (2) of subsection**  
8 **2 of section 141.550 shall be held in trust for the tax bill owners and taxing authorities**  
9 **having an interest in any tax liens which were foreclosed, as their interests may appear in**  
10 **the judgment of foreclosure.**

11 2. The title to any real estate which shall vest in any purchaser, upon confirmation of  
12 such sale by the court, shall be an absolute estate in fee simple, subject to rights-of-way thereon  
13 of public utilities on which tax has been otherwise paid, and subject to any lien thereon of the  
14 United States of America, if any, and all persons, including the state of Missouri, infants,  
15 incapacitated and disabled persons as defined in chapter 475, and nonresidents who may have  
16 had any right, title, interest, claim, or equity of redemption in or to, or lien upon, such lands, shall  
17 be barred and forever foreclosed of all such right, title, interest, claim, lien or equity of  
18 redemption, and the court shall order immediate possession of such real estate be given to such  
19 purchaser; provided, however, that such title shall also be subject to the liens of any tax bills  
20 which may have attached to such parcel of real estate prior to the time of the filing of the petition  
21 affecting such parcel of real estate not then delinquent, or which may have attached after the  
22 filing of the petition and prior to sheriff's sale and not included in any answer to such petition,  
23 but if such parcel of real estate is **deemed** sold to the land trust **pursuant to subsection 2 of**  
24 **section 141.560, deemed sold to a land bank agency pursuant to subsection 3 of section**  
25 **141.560, or sold to a land bank agency pursuant to subdivision (2) of subsection 2 of section**  
26 **141.550**, the title thereto shall be free of any such liens to the extent of the interest of any taxing  
27 authority in such real estate; provided further, that such title shall not be subject to the lien of  
28 special tax bills which have attached to the parcel of real estate prior to November 22, 1943, but

29 the lien of such special tax bills shall attach to the proceeds of the sheriff's sale or to the proceeds  
30 of the ultimate sale of such parcel by the land trust.

141.580. 1. After the sheriff sells any parcel of real estate, the court shall, upon its own  
2 motion or upon motion of any interested party, set the cause down for hearing to confirm the  
3 foreclosure sale thereof, even though such parcels are not all of the parcels of real estate  
4 described in the notice of sheriff's foreclosure sale. At the time of such hearing, the sheriff shall  
5 make report of the sale, and the court shall hear evidence of the value of the property offered on  
6 behalf of any interested party to the suit, and shall forthwith determine whether an adequate  
7 consideration has been paid for each such parcel.

8 2. For this purpose the court shall have power to summon any city or county official or  
9 any private person to testify as to the reasonable value of the property, and if the court finds that  
10 adequate consideration has been paid, he **or she** shall confirm the sale and order the sheriff to  
11 issue a deed to the purchaser. If the court finds that the consideration paid is inadequate, **the**  
12 **court shall confirm the sale if** the purchaser [may] increase his **or her** bid to such amount as  
13 the court [may deem] **deems** to be adequate[, whereupon the court may confirm the sale. If,  
14 however,] **and makes such additional payment, or if all tax bills included in the judgment,**  
15 **interest, penalties, attorney's fees, and costs then due thereon are not paid in full by one**  
16 **or more interested parties to the suit. If the court finds that the consideration is**  
17 **inadequate, but** the purchaser declines to increase his **or her** bid to such an amount as the  
18 **court deems adequate** and make such additional payment, then the sale shall be disapproved  
19 **if all tax bills included in the judgment, interest, penalties, attorney's fees, and costs then**  
20 **due thereon are paid in full by one or more interested parties to the suit,** the lien of the  
21 judgment continued, and such parcel of real estate shall be again advertised and offered for sale  
22 by the sheriff to the highest bidder at public auction for cash at any subsequent sheriff's  
23 foreclosure sale. Unless the court requires evidence of the value of the property conveyed to land  
24 trust **or land bank agency**, none shall be required, and the amount bid by the land trustees **or**  
25 **such land bank agency** shall be deemed adequate consideration.

26 3. **Except as otherwise provided in subsection 6 of section 141.984,** if the sale is  
27 confirmed, the court shall order the proceeds of the sale applied in the following order:

28 (1) To the payment of the costs of the publication of the notice of foreclosure and of the  
29 sheriff's foreclosure sale;

30 (2) To the payment of all costs including appraiser's fee [not to exceed fifteen dollars]  
31 and attorney's fees;

32 (3) To the payment of all tax bills adjudged to be due in the order of their priority,  
33 including principal, interest and penalties thereon.



34 If, after such payment, there is any sum remaining of the proceeds of the sheriff's  
35 foreclosure sale, the court shall thereupon try and determine the other issues in the suit in  
36 accordance with section 141.480. If any answering parties have specially appealed as provided  
37 in section 141.570, the court shall retain the custody of such funds pending disposition of such  
38 appeal, and upon disposition of such appeal shall make such distribution. If there are not  
39 sufficient proceeds of the sale to pay all claims in any class described, the court shall order the  
40 same to be paid pro rata in accordance with the priorities.

41 4. If there are any funds remaining of the proceeds after the sheriff's sale and after the  
42 distribution of such funds as herein set out and no person entitled to any such funds, whether or  
43 not a party to the suit, shall, within two years after such sale, appear and claim the funds, they  
44 shall [escheat to the state as provided by law] **be distributed to the appropriate taxing**  
45 **authorities.**

141.720. 1. The land trust shall be composed of three members, one of whom shall be  
2 appointed by the county, **as directed by the county** executive, or if the county does not have a  
3 county executive, **as directed by** the county commission of the county, one of whom shall be  
4 appointed by [the city council of that city] **that municipality** in the county which **is not an**  
5 **appointing authority under section 141.980 and** then has the largest population according to  
6 the last preceding federal decennial census, and one of whom shall be appointed by [the board  
7 of directors of the] **that school district in the county** which **is not an appointing authority**  
8 **under section 141.981 and** then has the largest population according to such census in the  
9 county. **If any such appointing authority fails to make any appointment of a land trustee**  
10 **after any term expires, then the appointment shall be made by the county.**

11 2. The terms of office of the land trustees shall be for four years each, except the terms  
12 of the first land trustees who shall be appointed by the foregoing appointing authorities,  
13 respectively, not sooner than twelve months and not later than eighteen months after sections  
14 141.210 to 141.810 take effect; **provided, however, that the term of any land trustee**  
15 **appointed by a municipality or school district that becomes an appointing authority of a**  
16 **land bank agency under section 141.981 shall terminate and such municipality and such**  
17 **school district shall cease to be appointing authorities for such land trust under this section**  
18 **upon the completion of all transfers to the land bank agency from the land trust required**  
19 **under subsection 1 of section 141.984 or one year after the effective date of the ordinance**  
20 **or resolution establishing the land bank agency, whichever is the first to occur.**

21 3. Each land trustee shall have been a resident of the county for at least five years next  
22 prior to appointment, shall not hold other salaried or compensated public office by election or  
23 appointment during service as land trustee, the duties of which would in any way conflict with

24 his duties as land trustee, and shall have had at least ten years experience in the management or  
25 sale of real estate.

26 4. Of the first land trustees appointed under sections 141.210 to 141.810, the land trustee  
27 appointed by the county commission shall serve for a term ending February 1, 1946, the land  
28 trustee appointed by the board of directors of the school district then having the largest  
29 population in the county shall serve for a term expiring February 1, 1947, and the land trustee  
30 appointed by the city council of the city then having the largest population in the county shall  
31 serve for a term expiring February 1, 1948. Each land trustee shall serve until his successor has  
32 been appointed and qualified.

33 5. Any vacancy in the office of land trustee shall be filled for the unexpired term by the  
34 same appointing authority which made the original appointment. If any appointing authority fails  
35 to make any appointment of a land trustee within the time the first appointments are required by  
36 sections 141.210 to 141.810 to be made, or within thirty days after any term expires or vacancy  
37 occurs, then the appointment shall be made by the [mayor of that city in the] county [then having  
38 the largest population, according to the last preceding federal decennial census].

39 6. The members shall receive for their services as land trustees a salary of two thousand  
40 four hundred dollars per year.

41 7. Each land trustee may be removed for cause by the respective appointing authority,  
42 after public hearing, if requested by the land trustee, and an opportunity to be represented by  
43 counsel and to present evidence is afforded the trustee.

141.770. 1. Each annual budget of the land trust shall be itemized as to objects and  
2 purposes of expenditure, prepared not later than [December tenth] **October first** of each year  
3 with copies delivered to the [county and city that appointed trustee members] **appointing**  
4 **authorities of such land trust under section 141.720**, and shall include therein only such  
5 appropriations as shall be deemed necessary to meet the reasonable expenses of the land trust  
6 during the forthcoming fiscal year. That budget shall not become the required annual budget of  
7 the land trust unless and until it has been approved by the governing bodies of the [county or city  
8 that appointed trustee members] **appointing authorities of such land trust under section**  
9 **141.720**. If [either] **any** of the governing bodies of the [county and city that appointed trustee  
10 members] **appointing authorities of such land trust under section 141.720** fail to notify the  
11 land trust in writing of any objections to the proposed annual budget on or before [December]  
12 **November** twentieth, then such failure or failures to object shall be deemed approval. In the  
13 event objections have been made and a budget for the fiscal year beginning January first has not  
14 been approved by the governing bodies of the [county and city] **appointing authorities of such**  
15 **land trust under section 141.720** on or before January first, then the budget for the previous  
16 fiscal year shall become the approved budget for that fiscal year. Any unexpended funds from

17 the preceding fiscal year shall be deducted from the amounts needed to meet the budget  
18 requirements of the forthcoming year.

19         2. Copies of the budget shall be made available to the public on or before [December]  
20 **October** tenth, and a public hearing shall be had thereon prior to [December] **October** twentieth,  
21 in each year. The approved and adopted budget may be amended by the trustee members only  
22 with the approval of the governing bodies of the [county and city that appointed trustee  
23 members] **appointing authorities of such land trust under section 141.720.**

24         3. If at any time there are not sufficient funds available to pay the salaries and other  
25 expenses of such land trust and of its employees, incident to the administration of sections  
26 141.210 to 141.810, including any expenditures authorized by section 141.760, funds sufficient  
27 to pay such expenses shall be advanced and paid to the land trust upon its requisition therefor,  
28 [fifty] **seven** percent thereof by the county commission of [such] **the county in which the land**  
29 **trust operates**, and the other [fifty] **ninety-three** percent by all of the [municipalities in such  
30 county as defined in section 141.220] **taxing authorities in such county that are not**  
31 **appointing authorities for a land bank agency under section 141.981 and all municipalities**  
32 **and school districts in such county that are appointing authorities for such land trust**  
33 **under section 141.720**, in proportion to their assessed valuations [at the time of their last  
34 completed assessment for state and county purposes] **of the properties then in the land trust**  
35 **inventory located within their respective taxing jurisdictions.** The land trust shall have  
36 power to requisition such funds in an amount not to exceed twenty-five percent of the total  
37 annual budget of the land trust from such sources for that fiscal year of the land trust for which  
38 there are not sufficient funds otherwise available to pay the salaries and other expenses of the  
39 land trust, but any amount in excess of twenty-five percent of the total annual budget in any fiscal  
40 year may be requisitioned by and paid to the land trust only if such additional sums are agreed  
41 to and approved by the county [commission and the respective municipalities in such county so  
42 desiring to make such payment] **and such other taxing authorities.** All moneys so  
43 requisitioned shall be paid in a lump sum within thirty days after such requisition or the  
44 commencement of the fiscal year of the land trust for which such requisition is made, whichever  
45 is later, [and] **by the county paying seven percent thereof due from the county under this**  
46 **section and advancing the remaining ninety-three percent due from other taxing**  
47 **authorities under this section on behalf of such other taxing authorities, and such amounts**  
48 **so paid** shall be deposited to the credit of the land trust in some bank or trust company, subject  
49 to withdrawal by warrant as herein provided. **Amounts advanced by the county on behalf of**  
50 **any taxing authority under this section shall be reimbursed to the county upon demand by**  
51 **the county or by the county withholding such amounts from distributions of tax moneys**  
52 **to such taxing authority.**

53           4. The fiscal year of the land trust shall commence on January first of each year. Such  
54 land trust shall audit all claims for the expenditure of money, and shall, acting by the chairman  
55 or vice chairman thereof, draw warrants therefor from time to time.

56           5. No warrant for the payment of any claim shall be drawn by such land trust until such  
57 claim shall have been approved by the land commissioner and shall bear the commissioner's  
58 certificate that there is a sufficient unencumbered balance in the proper appropriation and  
59 sufficient unexpended cash available for the payment thereof. For any certification contrary  
60 thereto, such land commissioner shall be liable personally and on the commissioner's official  
61 bond for the amounts so certified, and shall thereupon be promptly removed from office by the  
62 land trustees.

63           6. In addition to the annual audit provided for in section 141.760, the land trust may be  
64 performance audited at any time by the state auditor or by the auditor of any home rule city with  
65 more than four hundred thousand inhabitants and located in more than one county that is a  
66 member of the land trust. The cost of such audit shall be paid by the land trust, and copies shall  
67 be made available to the public within thirty days of the completion of the audit.

**141.785. 1. The land trust shall be authorized to file an action to quiet title under  
2 section 527.150 as to any real property in which the land trust has an interest. For  
3 purposes of any and all such actions the land trust shall be deemed to be the holder of  
4 sufficient legal and equitable interests, and possessory rights, so as to qualify the land trust  
5 as adequate complainant in such action.**

6           **2. Prior to the filing of an action to quiet title the land trust shall conduct an  
7 examination of title to determine the identity of any and all persons and entities possessing  
8 a claim or interest in or to the real property. Service of the complaint to quiet title shall  
9 be provided to all such interested parties by the following methods:**

10           **(1) First class mail to such identity and address as reasonably ascertainable by an  
11 inspection of public records;**

12           **(2) In the case of occupied real property by first class mail, addressed to  
13 "Occupant";**

14           **(3) By posting a copy of the notice on the real property;**

15           **(4) By publication in a newspaper of general circulation in the municipality in  
16 which the property is located; and**

17           **(5) Such other methods as the court may order.**

18           **3. As part of the complaint to quiet title the land trust shall file an affidavit  
19 identifying all parties potentially having an interest in the real property, and the form of  
20 notice provided.**

21           **4. The court shall schedule a hearing on the complaint within ninety days following**  
22 **filing of the complaint, and as to all matters upon which an answer was not filed by an**  
23 **interested party the court shall issue its final judgment within one hundred twenty days**  
24 **of the filing of the complaint.**

25           **5. The land trust shall be authorized to join in a single complaint to quiet title to**  
26 **one or more parcels of real property.**

          141.790. When any parcel of real estate is sold or otherwise disposed of by the land trust,  
2 the proceeds therefrom shall be applied and distributed in the following order:

3           **(1) To the payment of amounts due from the land trust under subsection 2 of**  
4 **section 141.560 on the sale or other disposition of such parcel;**

5           **(2) To the payment of the expenses of sale;**

6           **[(2)] (3) The balance to be retained by the land trust to pay the salaries and other**  
7 **expenses of such land trust and of its employees, incident to the administration of sections**  
8 **141.210 to 141.810, including any expenditures authorized by section 141.760, as provided for**  
9 **in its annual budget;**

10           **[(3)] (4) Any funds in excess of those necessary to meet the expenses of the annual**  
11 **budget of the land trust in any fiscal year, and including a reasonable sum to carry over into the**  
12 **next fiscal year to assure that sufficient funds will be available to meet initial expenses for that**  
13 **next fiscal year, [may] shall be paid to the respective taxing authorities which, at the time of the**  
14 **distribution, are taxing the real property from which the proceeds are being distributed. The**  
15 **distributions shall be in proportion to the amounts of the taxes levied on the properties by the**  
16 **taxing authorities; distribution shall be made on January first and July first of each year, and at**  
17 **such other times as the land trustees in their discretion may determine.**

**141.980. 1. Any municipality located wholly or partially within a county in which**  
2 **a land trust created under section 141.700 was operating on January 1, 2012, may establish**  
3 **a land bank agency for the management, sale, transfer, and other disposition of interests**  
4 **in real estate owned by such land bank agency. Any such land bank agency created shall**  
5 **be created to foster the public purpose of returning land, including land that is in a**  
6 **nonrevenue-generating nontax-producing status, to effective use in order to provide**  
7 **housing, new industry, and jobs for citizens of the establishing municipality, and to create**  
8 **new revenues for such municipality. Such land bank agency shall be established by**  
9 **ordinance or resolution as applicable. Such land bank agency may not own any interest in**  
10 **real estate that is located wholly or partially outside such establishing municipality.**

11           **2. The beneficiaries of the land bank agency shall be the taxing authorities that held**  
12 **or owned tax bills against the respective parcels of real estate acquired by such land bank**  
13 **agency pursuant to a deemed sale under subsection 3 of section 141.560, by deed from land**

14 trust under subsection 1 of section 141.984, or pursuant to a sale under subdivision (2) of  
15 subsection 2 of section 141.550 included in the judgment of the court, and their respective  
16 interests in each parcel of real estate shall be to the extent and in the proportion and  
17 according to the priorities determined by the court on the basis that the principal amount  
18 of their respective tax bills bore to the total principal amount of all of the tax bills  
19 described in the judgment.

20 3. Each land bank agency created under this chapter shall be a public body  
21 corporate and politic, and shall have permanent and perpetual duration until terminated  
22 and dissolved in accordance with the provisions of section 141.1012.

141.981. 1. A land bank agency shall be composed of a board of commissioners  
2 which shall consist of an odd number of members, and shall be not less than five members  
3 nor more than seven members, one of whom shall be appointed by the county, as directed  
4 by the county executive, or if the county does not have a county executive, as directed by  
5 the county commission of the county, one of whom shall be appointed by the school district  
6 that is wholly located within such municipality and county and then has the largest  
7 population according to the last preceding federal decennial census, and the remainder  
8 shall be appointed by the municipality that established the land bank agency. Members  
9 shall serve at the pleasure of the member's appointing authority, may be employees of the  
10 appointing authority, and shall serve without compensation. Any vacancy in the office of  
11 land bank commissioner shall be filled by the same appointing authority that made the  
12 original appointment. If any appointing authority fails to make any appointment of a land  
13 bank commissioner within the time the first appointments are required, or within sixty  
14 days after any term expires, then the appointment shall be made by the other appointing  
15 authorities. Except as otherwise provided in subsection 2 of section 141.720, any  
16 municipality or school district that is an appointing authority under this section 141.981  
17 shall not be an appointing authority under section 141.720.

18 2. Notwithstanding any law to the contrary, any public officer shall be eligible to  
19 serve as a board member and the acceptance of the appointment shall neither terminate  
20 nor impair such public office. For purposes of this section, "public officer" shall mean a  
21 person who is elected to a political subdivision office. Any political subdivision employee  
22 shall be eligible to serve as a board member.

23 3. The members of the board shall select annually from among themselves a chair,  
24 a vice chair, a treasurer, and such other officers as such board may determine, and shall  
25 establish their duties as may be regulated by rules adopted by such board.

26 4. The board shall have the power to organize and reorganize the executive,  
27 administrative, clerical, and other departments of the land bank agency and to fix the

28 duties, powers, and compensation of all employees, agents, and consultants of the land  
29 bank agency. The board may cause the land bank agency to reimburse any member for  
30 expenses actually incurred in the performance of duties on behalf of the land bank agency.

31 5. The board shall meet in regular session according to a schedule adopted by such  
32 board, and also shall meet in special session as convened by the chairman or upon written  
33 notice signed by a majority of the members. The presence of a majority of the board's total  
34 membership shall constitute a quorum to conduct business.

35 6. All actions of the board shall be approved by the affirmative vote of a majority  
36 of the members of the board present and voting; provided, however, that no action of the  
37 board shall be authorized on the following matters unless approved by a majority of the  
38 entire board membership:

39 (1) Adoption of bylaws and other rules and regulations for conduct of the land  
40 bank agency's business;

41 (2) Hiring or firing of any employee or contractor of the land bank agency. This  
42 function may, by majority vote, be delegated by the board to a specified officer or  
43 committee of the land bank agency, under such terms and conditions, and to the extent,  
44 that the board may specify;

45 (3) The incurring of debt, including, without limitation, borrowing of money and  
46 the issuance of bonds, notes or other obligations;

47 (4) Adoption or amendment of the annual budget;

48 (5) Sale of real property for a selling price that represents a consideration less than  
49 two-thirds of the appraised value of such property; and

50 (6) Lease, encumbrance, or alienation of real property, improvements, or personal  
51 property with a value of more than fifty thousand dollars.

52 7. The board members shall each furnish a surety bond, if such bond is not already  
53 covered by governmental surety bond, in a penal sum not to exceed twenty-five thousand  
54 dollars to be approved by the comptroller or director of finance of the municipality that  
55 established the land bank agency, issued by a surety company licensed to do business in the  
56 state of Missouri, which bond shall be deposited with the county clerk of such county, and  
57 shall guarantee the faithful performance of such member's duties under sections 141.980  
58 to 141.1015, and shall be written to cover all the commissioners.

59 8. Before entering upon the duties of office, each board member shall take and  
60 subscribe to the following oath:

61 State of Missouri, )

62 ) ss

63 City of . . . )

64       **I, . . . , do solemnly swear that I will support the Constitution of the United States**  
65       **and the Constitution of the State of Missouri; that I will faithfully and impartially**  
66       **discharge my duties as a member of the Land Bank of . . . , Missouri; that I will**  
67       **according to my best knowledge and judgment, administer such tax delinquent and**  
68       **other lands held by the land bank according to the laws of the state of Missouri and**  
69       **for the benefit of the public bodies and the tax bill owners which I represent, so**  
70       **help me God.**

71       **.....**

72       **Subscribed and sworn to this . . . day of . . . , 20 ..**

73       **My appointment expires: .....**

74       **.....**

75       **Notary Public**

76       **9. Members of a board shall not be liable personally on the bonds or other**  
77       **obligations of the land bank agency, and the rights of creditors of the land bank agency**  
78       **shall be solely against the assets of such land bank agency.**

79       **10. Vote by proxy shall not be permitted. Any member may request a recorded**  
80       **vote on any resolution or action of the land bank agency.**

**141.982. A land bank agency may employ a secretary, an executive director, its own**  
2       **counsel and legal staff, and such technical experts, and such other agents and employees,**  
3       **permanent or temporary, as it may require, and may determine the qualifications and fix**  
4       **the compensation and benefits of such persons. A land bank agency may also enter into**  
5       **contracts and agreements with political subdivisions for staffing services to be provided**  
6       **to the land bank agency by political subdivisions or agencies or departments thereof, or for**  
7       **a land bank agency to provide such staffing services to political subdivisions or agencies**  
8       **or departments thereof.**

**141.983. Subject to the other provisions of this chapter and all other applicable**  
2       **laws, a land bank agency established under this chapter shall have all powers necessary**  
3       **or appropriate to carry out and effectuate the purposes and provisions of this chapter as**  
4       **they relate to a land bank agency, including the following powers in addition to those**  
5       **herein otherwise granted:**

6       **(1) To adopt, amend, and repeal bylaws for the regulation of its affairs and the**  
7       **conduct of its business;**

8       **(2) To sue and be sued in its own name and plead and be impleaded in all civil**  
9       **actions, including, but not limited to, actions to clear title to property of the land bank**  
10       **agency;**

11       **(3) To adopt a seal and to alter the same at pleasure;**



- 12           **(4) To receive funds as grants from or to borrow from political subdivisions, the**  
13 **state of Missouri, the federal government, or any other public or private sources;**
- 14           **(5) To issue notes and other obligations according to the provisions of this chapter;**
- 15           **(6) To procure insurance or guarantees from political subdivisions, the state of**  
16 **Missouri, the federal government, or any other public or private sources, of the payment**  
17 **of any bond, note, loan, or other obligation, or portion thereof, incurred by the land bank**  
18 **agency, and to pay any fees or premiums in connection therewith;**
- 19           **(7) To enter into contracts and other instruments necessary, incidental, or**  
20 **convenient to the performance of its duties and the exercise of its powers, including, but**  
21 **not limited to, agreements with other land bank agencies and with political subdivisions**  
22 **for the joint exercise of powers under this chapter;**
- 23           **(8) To enter into contracts and other instruments necessary, incidental, or**  
24 **convenient to the performance of functions by the land bank agency on behalf of political**  
25 **subdivisions, or agencies or departments of political subdivisions, or the performance by**  
26 **political subdivisions, or agencies or departments of political subdivisions of functions on**  
27 **behalf of the land bank agency;**
- 28           **(9) To make and execute contracts and other instruments necessary or convenient**  
29 **to the exercise of the powers of the land bank agency; and any contract or instrument when**  
30 **signed by the chair or vice chair of the land bank agency, or by an authorized use of their**  
31 **facsimile signatures, and by the secretary or assistant secretary, or, treasurer or assistant**  
32 **treasurer of the land bank agency, or by an authorized use of their facsimile signatures,**  
33 **shall be held to have been properly executed for and on its behalf;**
- 34           **(10) To procure insurance against losses in connection with the property, assets, or**  
35 **activities of the land bank agency;**
- 36           **(11) To invest the money of the land bank agency, including amounts deposited in**  
37 **reserve or sinking funds, at the discretion of the board, in instruments, obligations,**  
38 **securities, or property determined proper by the board, and name and use depositories for**  
39 **its money;**
- 40           **(12) To enter into contracts for the management of, the collection of rent from, or**  
41 **the sale of the property of the land bank agency;**
- 42           **(13) To design, develop, construct, demolish, reconstruct, rehabilitate, renovate,**  
43 **relocate, equip, furnish, and otherwise improve real property or rights or interests in real**  
44 **property held by the land bank agency;**
- 45           **(14) To fix, charge, and collect rents, fees, and charges for the use of the property**  
46 **of the land bank agency and for services provided by the land bank agency;**

47           **(15) Subject to the limitation set forth in subsection 1 of section 141.980, to acquire**  
48 **property, whether by purchase, exchange, gift, lease, or otherwise, to grant or acquire**  
49 **licenses and easements, and to sell, lease, grant an option with respect to, or otherwise**  
50 **dispose of any property of the land bank agency;**

51           **(16) Subject to the limitation set forth in subsection 1 of section 141.980, to enter**  
52 **into partnership, joint ventures, and other collaborative relationships with political**  
53 **subdivisions and other public and private entities for the ownership, management,**  
54 **development, and disposition of real property; and**

55           **(17) Subject to the other provisions of this chapter and all other applicable laws,**  
56 **to do all other things necessary or convenient to achieve the objectives and purposes of the**  
57 **land bank agency or other laws that relate to the purposes and responsibility of the land**  
58 **bank agency.**

**141.984. 1. Within one year of the effective date of the ordinance or resolution**  
2 **passed establishing a land bank agency under this chapter, title to any real property held**  
3 **by a land trust created under section 141.700 that is located wholly within the municipality**  
4 **that created the land bank agency shall be transferred by deed to such land bank agency.**

5           **2. The income of a land bank agency shall be exempt from all taxation by the state**  
6 **of Missouri and by any of its political subdivisions. Upon acquiring title to any real estate,**  
7 **a land bank agency shall immediately notify the county assessor and the collector of such**  
8 **ownership, and such real estate shall be exempt from all taxation during the land bank**  
9 **agency's ownership thereof, in the same manner and to the same extent as any other**  
10 **publicly owned real estate, and upon the sale or other disposition of any real estate held by**  
11 **it, such land bank agency shall immediately notify the county assessor and the collector of**  
12 **such change of ownership; provided however, that such tax exemption for improved and**  
13 **occupied real property held by such land bank agency as lessor pursuant to a ground lease**  
14 **shall terminate upon the first such occupancy, and such land bank agency shall**  
15 **immediately notify the county assessor and the collector of such occupancy.**

16           **3. Subject to the limitation set forth in subsection 1 of section 141.980, a land bank**  
17 **agency may acquire real property or interests in property by gift, devise, transfer,**  
18 **exchange, foreclosure, lease, purchase, or otherwise on terms and conditions and in a**  
19 **manner the land bank agency considers proper.**

20           **4. Subject to the limitation set forth in subsection 1 of section 141.980, a land bank**  
21 **agency may acquire property by purchase contracts, lease purchase agreements,**  
22 **installment sales contracts, and land contracts, and may accept transfers from political**  
23 **subdivisions upon such terms and conditions as agreed to by the land bank agency and the**  
24 **political subdivision. Notwithstanding any other law to the contrary, but subject to the**

25 limitation set forth in subsection 1 of section 141.980, any political subdivision may transfer  
26 to the land bank agency real property and interests in real property of the political  
27 subdivision on such terms and conditions and according to such procedures as determined  
28 by the political subdivision.

29       **5. A land bank agency shall maintain all of its real property in accordance with the**  
30 **laws and ordinances of the jurisdictions in which the real property is located.**

31       **6. Upon confirmation under section 141.580 of a sheriff's foreclosure sale of a**  
32 **parcel of real estate to a land bank agency under subdivision (2) of subsection 2 of section**  
33 **141.550, such land bank agency shall pay the amount of the land bank agency's bid that**  
34 **exceeds the amount of all tax bills included in the judgment, interest, penalties, attorney's**  
35 **fees and costs then due thereon. Such excess shall be applied and distributed in accordance**  
36 **with subsections 3 and 4 of section 141.580, exclusive of subdivision (3) of subsection 3**  
37 **thereof. Upon such confirmation by the court, the collector shall mark the tax bills**  
38 **included in the judgment as "canceled by sale to the land bank" and shall take credit for**  
39 **the full amount of such tax bills, including principal amount, interest, penalties, attorney's**  
40 **fees, and costs, on his books and in his statements with any other taxing authorities.**

**141.985. 1. A land bank agency shall hold in its own name all real property**  
2 **acquired by such land bank agency irrespective of the identity of the transferor of such**  
3 **property.**

4       **2. A land bank agency shall maintain and make available for public review and**  
5 **inspection an inventory of all real property held by the land bank agency.**

6       **3. The land bank agency shall determine and set forth in policies and procedures**  
7 **of the board the general terms and conditions for consideration to be received by the land**  
8 **bank agency for the transfer of real property and interests in real property, which**  
9 **consideration may take the form of monetary payments and secured financial obligations,**  
10 **covenants and conditions related to the present and future use of the property, contractual**  
11 **commitments of the transferee, and such other forms of consideration as determined by the**  
12 **board to be in the best interest of the land bank agency.**

13       **4. Subject to the limitation set forth in subsection 1 of section 141.980, a land bank**  
14 **agency may convey, exchange, sell, transfer, lease, grant, release and demise, pledge and**  
15 **hypothecate any and all interests in, upon or to property of the land bank agency.**

16       **5. A municipality may, in its resolution or ordinance creating a land bank agency**  
17 **establish a hierarchical ranking of priorities for the use of real property conveyed by such**  
18 **land bank agency, subject to subsection 7 of this section, including but not limited to:**

- 19       **(1) Use for purely public spaces and places;**  
20       **(2) Use for affordable housing;**

- 21           **(3) Use for retail, commercial, and industrial activities;**  
22           **(4) Use as wildlife conservation areas, and such other uses and in such hierarchical**  
23 **order as determined by the land bank jurisdiction.**
- 24           **6. A municipality may, in its resolution or ordinance creating a land bank agency,**  
25 **require that any particular form of disposition of real property, or any disposition of real**  
26 **property located within specified geographical areas, be subject to specified voting and**  
27 **approval requirements of the board that are not inconsistent with section 141.981 or**  
28 **section 141.983. Except and unless restricted or constrained in this manner, the board may**  
29 **delegate to officers and employees the authority to enter into and execute agreements,**  
30 **instruments of conveyance and all others related documents pertaining to the conveyance**  
31 **of property by the land bank agency.**
- 32           **7. A land bank agency shall act expeditiously to return the real property acquired**  
33 **by it to the tax rolls and shall market and sell such real property using an open, public**  
34 **method that ensures the best possible price is realized while ensuring such real property**  
35 **is returned to a suitable, productive use for the betterment of the neighborhoods in which**  
36 **such real property is located.**
- 37           **8. When any parcel of real estate acquired by a land bank agency pursuant to a**  
38 **deemed sale under subsection 3 of section 141.560, by deed from land trust under**  
39 **subsection 1 of section 141.984, or pursuant to a sale under subdivision (2) of subsection**  
40 **2 of section 141.550 is sold or otherwise disposed of by such land bank agency, the proceeds**  
41 **therefrom shall be applied and distributed in the following order:**
- 42           **(1) To the payment of the expenses of sale;**  
43           **(2) To fulfill the requirements of the resolution, indenture or other financing**  
44 **documents adopted or entered into in connection with bonds, notes or other obligations of**  
45 **the land bank agency, to the extent that such requirements may apply with respect to such**  
46 **parcel of real estate;**
- 47           **(3) The balance to be retained by the land bank agency to pay the salaries and**  
48 **other expenses of such land bank agency and of its employees as provided for in its annual**  
49 **budget;**
- 50           **(4) Any funds in excess of those necessary to meet the expenses of the annual budget**  
51 **of the land bank agency in any fiscal year and a reasonable sum to carry over into the next**  
52 **fiscal year to assure that sufficient funds will be available to meet initial expenses for that**  
53 **next fiscal year, exclusive of net profit from the sale of ancillary parcels, shall be paid to**  
54 **the respective taxing authorities that, at the time of the distribution, are taxing the real**  
55 **property from which the proceeds are being distributed. The distributions shall be in**  
56 **proportion to the amounts of the taxes levied on the properties by the taxing authorities.**

57 **Distribution shall be made on January first and July first of each year, and at such other**  
58 **times as the board may determine.**

59 **9. When any ancillary parcel is sold or otherwise disposed of by such land bank**  
60 **agency, the proceeds therefrom shall be applied and distributed in the following order:**

61 **(1) To the payment of all land taxes and related charges then due on such parcel;**

62 **(2) To the payment of the expenses of sale;**

63 **(3) To fulfill the requirements of the resolution, indenture or other financing**  
64 **documents adopted or entered into in connection with bonds, notes or other obligations of**  
65 **the land bank agency, to the extent that such requirements may apply with respect to such**  
66 **parcel of real estate;**

67 **(4) The balance to be retained by the land bank agency to pay the salaries and**  
68 **other expenses of such land bank agency and of its employees as provided for in its annual**  
69 **budget;**

70 **(5) Any funds in excess of those necessary to meet the expenses of the annual budget**  
71 **of the land bank agency in any fiscal year and a reasonable sum to carry over into the next**  
72 **fiscal year to assure that sufficient funds will be available to meet initial expenses for that**  
73 **next fiscal year, may be paid in accordance with subdivision (3) of subsection 8 of this**  
74 **section.**

**141.988. 1. A land bank agency may receive funding through grants and loans**  
2 **from political subdivisions, from the state of Missouri, from the federal government, and**  
3 **from other public and private sources.**

4 **2. Except as otherwise provided in subsections 8 and 9 of section 141.985, a land**  
5 **bank agency may receive and retain payments for services rendered, for rents and**  
6 **leasehold payments received, for consideration for disposition of real and personal**  
7 **property, for proceeds of insurance coverage for losses incurred, for income from**  
8 **investments, and for any other asset and activity lawfully permitted to a land bank agency**  
9 **under this chapter.**

10 **3. If a land bank agency sells or otherwise disposes of a parcel of real estate held**  
11 **by it, any land taxes assessed against such parcel for the three tax years following such sale**  
12 **or disposition by such land bank agency that are collected by the collector in a calendar**  
13 **year and not refunded, less the fees provided under section 52.260 and subsection 4 of**  
14 **section 141.988 and less the amounts to be deducted under section 137.720, shall be**  
15 **distributed by the collector to such land bank agency no later than March first of the**  
16 **following calendar year; provided that land taxes impounded under section 139.031 or**  
17 **otherwise paid under protest shall not be subject to distribution under this subsection.**  
18 **Any amount required to be distributed to a land bank agency under this subsection shall**

19 be subject to offset for amounts previously distributed to such land bank agency that were  
20 assessed, collected or distributed in error.

21 4. In addition to any other provisions of law related to collection fees, the collector  
22 shall collect on behalf of the county a fee of four percent of reserve period taxes collected  
23 and such fees collected shall be deposited in the county general fund.

141.991. There shall be an annual audit of the affairs, accounts, expenses, and  
2 financial transactions of a land bank agency by certified public accountants as of April  
3 thirtieth of each year, which accountants shall be employed by the commissioners on or  
4 before March first of each year, and certified copies thereof shall be furnished to the  
5 appointing authorities described in section 141.981, and shall be available for public  
6 inspection at the office of the land bank agency. In addition to the annual audit provided  
7 for in this subdivision, the land bank agency may be performance audited at any time by  
8 the state auditor or by the auditor of the municipality that established the land bank  
9 agency. The cost of such audit shall be paid by the land bank agency, and copies shall be  
10 made available to the public within thirty days of the completion of the audit.

141.994. 1. A land bank agency shall have power to issue bonds for any of its  
2 corporate purposes, which bonds shall be special, limited obligations of the land bank  
3 agency, the principal of and interest on which shall be payable solely from the income and  
4 revenue derived from the sale, lease, or other disposition of the assets of the land bank  
5 agency, or such portion thereof as may be designated in the resolution, indenture or other  
6 financing documents relating to the issuance of the bonds. In the discretion of the land  
7 bank agency, any of such bonds may be secured by a pledge of additional revenues,  
8 including grants, contributions or guarantees from the state of Missouri, the federal  
9 government, or any agency or instrumentality thereof, or by a mortgage or other security  
10 device covering all or part of the property from which the revenues so pledged may be  
11 derived.

2. Bonds issued by a land bank agency shall not be deemed to be an indebtedness  
13 within the meaning of any constitutional or statutory limitation upon the incurring of  
14 indebtedness. The bonds shall not constitute a debt, liability or obligation of the state or  
15 of any political subdivision thereof, except in accordance with subsection 4 of this section,  
16 or a pledge of the full faith and credit or the taxing power of the state or of any such  
17 political subdivision, and the bonds shall contain a recital to that effect. Neither the  
18 members of the board nor any person executing the bonds shall be liable personally on the  
19 bonds by reason of the issuance thereof.

20 3. Bonds issued by a land bank agency shall be authorized by resolution of the  
21 board and shall be issued in such form, shall be in such denominations, shall bear interest

22 at such rate or rates, shall mature on such dates and in such manner, shall be subject to  
23 redemption at such times and on such terms, and shall be executed by one or more  
24 members of the board, as provided in the resolution authorizing the issuance thereof or as  
25 set out in the indenture or other financing document authorized and approved by such  
26 resolution. The board may sell such bonds in such manner, either at public or at private  
27 sale, and for such price as it may determine to be in the best interests of the land bank  
28 agency.

29 4. Any political subdivision may elect to guarantee, insure, or otherwise become  
30 primarily or secondarily obligated with respect to the bonds issued by a land bank agency  
31 subject, however, to the provisions of Missouri law applicable to the incurrence of  
32 indebtedness by such political subdivision. No political subdivision shall have any such  
33 obligation if it does not so elect.

34 5. A land bank agency may from time to time, as authorized by resolution of the  
35 board, issue refunding bonds for the purpose of refunding, extending and unifying all or  
36 any part of its valid outstanding bonds. Such refunding bonds may be payable from any  
37 of the sources identified in subsections 1 and 4 of this section, and from the investment of  
38 any of the proceeds of the refunding bonds.

39 6. The bonds issued by a land bank agency shall be negotiable instruments under  
40 the provisions of the uniform commercial code of the state of Missouri.

41 7. Bonds issued under this section and all income or interest thereon shall be  
42 exempt from all state taxes, except estate and transfer taxes.

43 8. A land bank agency shall have the power to issue temporary notes upon the same  
44 terms and subject to all provisions and restrictions applicable to bonds under this section.  
45 Such notes issued by a land bank agency may be refunded by notes or bonds authorized  
46 under this section.

141.997. Except as otherwise provided under Missouri law, all board meetings shall  
2 be open to the public and the board shall cause minutes and a record to be kept of all its  
3 proceedings. The land bank agency shall be subject to the provisions of chapters 109 and  
4 610, and any other applicable provisions of Missouri law governing public records and  
5 public meetings.

141.1000. Neither the members of the board nor any salaried employee of a land  
2 bank agency shall receive any compensation, emolument, or other profit directly or  
3 indirectly from the rental, management, acquisition, sale, demolition, repair, rehabilitation,  
4 use, operation, ownership, or disposition of any lands held by such land bank agency other  
5 than the salaries, expenses, and emoluments provided for in sections 141.980 to 141.1015.  
6 Neither the members of the board nor any salaried employee of a land bank agency shall

7 own, directly or indirectly, any legal or equitable interest in or to any lands held by such  
8 land bank agency other than the salaries, expenses, and emoluments provided for in  
9 sections 141.980 to 141.1015. Any person convicted of violating this subsection shall be  
10 deemed guilty of a felony and upon conviction thereof shall be sentenced to serve not less  
11 than two nor more than five years in the state penitentiary. The board of a land bank  
12 agency may adopt supplemental rules and regulations addressing potential conflicts of  
13 interest and ethical guidelines for members of the board and land bank agency employees,  
14 provided that such rules and regulations are not inconsistent with this chapter or any other  
15 applicable law.

141.1003. Except as otherwise expressly set forth in this chapter, in the exercise of  
2 its powers and duties under this chapter and its powers relating to property held by the  
3 land bank agency, the land bank agency shall have complete control of such property as  
4 fully and completely as if it were a private property owner.

141.1006. 1. Whenever any ancillary parcel is acquired by a land bank agency and  
2 is encumbered by a lien or claim for real property taxes owed to a taxing authority, such  
3 taxing authority may elect to contribute to the land bank agency all or any portion of such  
4 taxes that are distributed to and received by such taxing authority.

5 2. To the extent that a land bank agency receives payments or credits of any kind  
6 attributable to liens or claims for real property taxes owed to a taxing authority, the land  
7 bank agency shall remit the full amount of the payments to the collector for distribution  
8 to the appropriate taxing authority.

141.1009. 1. A land bank agency shall be authorized to file an action to quiet title  
2 pursuant to section 527.150 as to any real property in which the land bank agency has an  
3 interest. For purposes of any and all such actions the land bank agency shall be deemed  
4 to be the holder of sufficient legal and equitable interests, and possessory rights, so as to  
5 qualify the land bank agency as adequate complainant in such action.

6 2. Prior to the filing of an action to quiet title the land bank agency shall conduct  
7 an examination of title to determine the identity of any and all persons and entities  
8 possessing a claim or interest in or to the real property. Service of the complaint to quiet  
9 title shall be provided to all such interested parties by the following methods:

10 (1) First class mail to such identity and address as reasonably ascertainable by an  
11 inspection of public records;

12 (2) In the case of occupied real property by first class mail, addressed to  
13 "Occupant";

14 (3) By posting a copy of the notice on the real property;



15           (4) By publication in a newspaper of general circulation in the municipality in  
16 which the property is located; and

17           (5) Such other methods as the court may order.

18           3. As part of the complaint to quiet title the land bank agency shall file an affidavit  
19 identifying all parties potentially having an interest in the real property, and the form of  
20 notice provided.

21           4. The court shall schedule a hearing on the complaint within ninety days following  
22 filing of the complaint, and as to all matters upon which an answer was not filed by an  
23 interested party the court shall issue its final judgment within one hundred twenty days  
24 of the filing of the complaint.

25           5. A land bank agency shall be authorized to join in a single complaint to quiet title  
26 to one or more parcels of real property.

          141.1012. A land bank agency may be dissolved as a public body corporate and  
2 politic not less than sixty calendar days after an ordinance or resolution for such  
3 dissolution is passed by the municipality that established the land bank agency. Not less  
4 than sixty calendar days advance written notice of consideration of such an ordinance or  
5 resolution of dissolution shall be given to the members of the board of the land bank  
6 agency, shall be published in a local newspaper of general circulation within such  
7 municipality, and shall be sent certified mail to each trustee of any outstanding bonds of  
8 the land bank agency. No land bank agency shall be dissolved while there remains  
9 outstanding any bonds, notes or other obligations of the land bank agency unless such  
10 bonds, notes or other obligations are paid or defeased pursuant to the resolution, indenture  
11 or other financing document under which such bonds, notes or other obligations were  
12 issued prior to or simultaneously with such dissolution. Upon dissolution of a land bank  
13 agency pursuant to this section, all real property, personal property, and other assets of  
14 the land bank agency shall be transferred by appropriate written instrument to and shall  
15 become the assets of the municipality that established the land bank agency. Such  
16 municipality shall act expeditiously to return such real property to the tax rolls and shall  
17 market and sell such real property using an open, public method that ensures the best  
18 possible prices are realized while ensuring such real property is returned to a suitable,  
19 productive use for the betterment of the neighborhoods in which such real property is  
20 located. Any such real property that was acquired by the dissolved land bank agency  
21 pursuant to a deemed sale under subsection 3 of section 141.560, by deed from land trust  
22 under subsection 1 of section 141.984, or pursuant to a sale under subdivision (2) of  
23 subsection 2 of section 141.550 shall be held by such municipality in trust for the tax bill  
24 owners and taxing authorities having an interest in any tax liens which were foreclosed,

25 as their interests may appear in the judgment of foreclosure, and upon the sale or other  
26 disposition of any such property by such municipality, the proceeds therefrom shall be  
27 applied and distributed in the following order:

28 (1) To the payment of the expenses of sale;

29 (2) To the reasonable costs incurred by such municipality in maintaining and  
30 marketing such property; and

31 (3) The balance shall be paid to the respective taxing authorities that, at the time  
32 of the distribution, are taxing the real property from which the proceeds are being  
33 distributed.

141.1015. A land bank agency shall neither possess nor exercise the power of  
2 eminent domain. A land bank agency shall not have the power to tax.

143.789. The director of the department shall have the authority to impose an offset  
2 against a refund owed to any taxpayer for the following items and in the following order  
3 of priority:

4 (1) Delinquent taxes owed by the taxpayer to the state of Missouri;

5 (2) Debts owed by such taxpayer to any state agency or support obligation owed by  
6 such taxpayer which is enforced by the division of family services on behalf of a person  
7 who is receiving support enforcement services under section 454.425;

8 (3) Collection assistance fees authorized under section 143.790;

9 (4) Eligible claims under section 143.790; and

10 (5) Delinquent taxes owed by the taxpayer to the United States.

143.790. 1. [Any hospital or health care provider who has provided health care services  
2 to an individual who was not covered by a health insurance policy or was not eligible to receive  
3 benefits under the state's medical assistance program of needy persons, Title XIX, P.L. 89-97,  
4 1965 amendments to the federal Social Security Act, 42 U.S.C. Section 301, et seq., under  
5 chapter 208, RSMo, and the health insurance for uninsured children under sections 208.631 to  
6 208.657, RSMo, at the time such health care services were administered, and such person has  
7 failed to pay for such services for a period greater than ninety days, may submit a claim to the  
8 director of the department of health and senior services for the unpaid health care services. The  
9 director of the department of health and senior services shall review such claim. If the claim  
10 appears meritorious on its face, the claim for the unpaid medical services shall constitute a debt  
11 of the department of health and senior services for purposes of sections 143.782 to 143.788, and  
12 the director may certify the debt to the department of revenue in order to set off the debtor's  
13 income tax refund. Once the debt has been certified, the director of the department of health and

14 senior services shall submit the debt to the department of revenue under the setoff procedure  
15 established under section 143.783.

16 2. At the time of certification, the director of the department of health and senior services  
17 shall supply any information necessary to identify each debtor whose refund is sought to be set  
18 off pursuant to section 143.784 and certify the amount of the debt or debts owed by each such  
19 debtor.

20 3. If a debtor identified by the director of the department of health and senior services  
21 is determined by the department of revenue to be entitled to a refund, the department of revenue  
22 shall notify the department of health and senior services that a refund has been set off on behalf  
23 of the department of health and senior services for purposes of this section and shall certify the  
24 amount of such setoff, which shall not exceed the amount of the claimed debt certified. When  
25 the refund owed exceeds the claimed debt, the department shall send the excess amount to the  
26 debtor within a reasonable time after such excess is determined.

27 4. The department of revenue shall notify the debtor by certified mail the taxpayer whose  
28 refund is sought to be set off that such setoff will be made. The notice shall contain the  
29 provisions contained in subsection 3 of section 143.794, including the opportunity for a hearing  
30 to contest the setoff provided therein, and shall otherwise substantially comply with the  
31 provisions of subsection 3 of section 143.784.

32 5. Once a debt has been set off and finally determined under the applicable provisions  
33 of sections 143.782 to 143.788, and the department of health and senior services has received  
34 the funds transferred from the department of revenue, the department of health and senior  
35 services shall settle with each hospital or health care provider for the amounts that the  
36 department of revenue set off for such party. At the time of each settlement, each hospital or  
37 health care provider shall be charged for administration expenses which shall not exceed twenty  
38 percent of the collected amount.

39 6. Lottery prize payouts made under section 313.321, RSMo, shall also be subject to the  
40 setoff procedures established in this section and any rules and regulations promulgated thereto.

41 7. The director of the department of revenue shall have priority to offset any delinquent  
42 tax owed to the state of Missouri. Any remaining refund shall be offset to pay a state agency  
43 debt or to meet a child support obligation that is enforced by the division of family services on  
44 behalf of a person who is receiving support enforcement services under section 454.425, RSMo.

45 **8.] As used in this section, the following terms shall mean:**

46 **(1) "Appeals committee", a committee consisting of at least three people appointed**  
47 **by a provider to hear patient appeals of review officer rulings:**

48 **(a) That the provider has a valid claim;**

- 49           (b) Regarding the amount of the claim;
- 50           (c) That a claim qualifies as an eligible claim under this section;
- 51           (2) "Collection assistance fee", a fee in the amount of fourteen dollars payable to  
52 the general fund of this state for each debt setoff being processed and an additional  
53 seventeen dollars payable to the claim clearinghouse for each debt being processed by the  
54 claim clearinghouse shall be recovered from each eligible claim to recover the costs  
55 incurred in collecting debts under this section;
- 56           (3) "Court", the supreme court, court of appeals, or any circuit court of the state,  
57 or any of their judicially or legislatively created subdivisions;
- 58           (4) "Department", the department of revenue;
- 59           (5) "Claim", a claim by a provider to receive payment of fifty dollars or more for  
60 health care services provided by such provider to a patient which has not been paid in  
61 whole or in part by the patient or third-party payer for more than one hundred sixty days  
62 after the date the provider has exhausted all available means of collecting the payment  
63 from the patient or the third-party payer, provided that in order to exhaust its available  
64 means of collecting the payment the provider will not be required to file a legal claim  
65 against the patient or third- party payer in state or federal court;
- 66           (6) "Claim clearinghouse", the entity selected by the department to receive and  
67 submit eligible claims on behalf of a provider in accordance with this section. The claim  
68 clearinghouse shall be selected by the department through use of and in compliance with  
69 the applicable requirements of chapter 34;
- 70           (7) "Financial hardship policy", a policy maintained by a provider to establish the  
71 circumstances in which a patient will be relieved of the obligation to pay a claim as a result  
72 of his or her financial condition. The terms of the provider's financial hardship policy  
73 shall be consistent with applicable Medicare guidelines regarding financial hardship. Each  
74 provider utilizing the claim clearinghouse to collect a claim shall maintain and utilize a  
75 financial hardship policy;
- 76           (8) "Health care services", any services that a provider renders to a patient in the  
77 course of such provider's furnishing of ambulance services to the patient. Health care  
78 services shall include, but not be limited to, treatment of patients and transporting of  
79 patients incidental or pursuant to the delivery of ambulance services by a provider or in  
80 furtherance of the purposes for which such provider is organized and licensed, provided  
81 that with respect to ground ambulance services provided by a provider that is not owned  
82 and operated by a city, county, municipality, political subdivision, governmental entity, or  
83 an entity that is exempt from federal and state income taxation, health care services shall

84 only include those ground ambulance services provided by the provider that qualify and  
85 emergency services as defined in section 190.100 and are provided under the terms of an  
86 agreement between the provider and a city, county, municipality, political subdivision, or  
87 a governmental entity under section 190.105;

88 (9) "Patient", an individual who has received health care services from a provider  
89 and who was not, at the time such health care services were provided:

90 (a) Eligible to receive benefits under the state's medical assistance program for  
91 needy persons under chapter 208 and the health insurance for uninsured children under  
92 sections 208.631 to 208.657; and

93 (b) Eligible for relief from the claim pursuant to the provider's financial hardship  
94 policy;

95 (10) "Provider", any provider of ambulance services licensed by the Missouri  
96 department of health and senior services in accordance with chapter 190, to include but  
97 not be limited to any provider of air ambulance services licensed under section 190.108 and  
98 any provider of ground ambulance services licensed under section 190.109;

99 (11) "Refund", a patient's Missouri income tax refund which the department  
100 determines to be due under the provisions of this chapter;

101 (12) "Review officer", a person designated by a provider to review claims, at the  
102 request of a patient, to determine whether such provider has a valid claim, the amount of  
103 such claim, and whether such claim qualifies as an eligible claim under this section.

104 2. Prior to submission of a claim to the claim clearinghouse, a provider shall send  
105 written notice to a patient that such provider intends to submit a claim to the claim  
106 clearinghouse for collection by setoff under this section. The notice shall:

107 (1) Provide the basis for the claim;

108 (2) State that the provider intends to request that the department apply the  
109 patient's refund against the claim;

110 (3) State that a collection assistance fee will be added to the claim if it is submitted  
111 for setoff;

112 (4) Inform the patient of the right to contest the validity or amount of such claim  
113 by filing a request for a review with the provider; and

114 (5) State the time limit and procedure for requesting such review, and that failure  
115 to request a review within thirty days following receipt of the notice required under this  
116 section shall result in submission of the claim to the claim clearinghouse for setoff of the  
117 debt by the department.

118           **3. Upon receipt of the notice required under subsection 2 of this section, any patient**  
119 **seeking review of a claim with the provider shall file a written request for review within**  
120 **thirty days of receipt of such notice. A request for a review shall be deemed filed when**  
121 **properly addressed and delivered to the United States Postal Service for mailing with**  
122 **postage prepaid. A review officer shall be appointed by the provider to review such claim.**  
123 **In reviewing a claim, any issue that has previously been litigated in a court proceeding**  
124 **shall not be considered by the review officer. If the patient seeks a review of the claim and**  
125 **the review officer finds either that the claim is invalid or the claim does not qualify as an**  
126 **eligible claim under this section, the review officer's determination shall be final and**  
127 **binding on the provider and such provider shall have no right to appeal such**  
128 **determination. If all or part of the claim is found by the review officer to be valid and**  
129 **eligible for setoff under this section, the review officer shall notify the provider and the**  
130 **patient of such fact. Such notice shall:**

131           **(1) Inform the patient that the patient has the right to appeal the review officer's**  
132 **determination by filing an appeal with the appeals committee;**

133           **(2) State the time limit and procedure for requesting such an appeal; and**

134           **(3) State that failure to request the appeal within thirty days following receipt of**  
135 **the notice required under this subsection shall result in submission of the claim to the claim**  
136 **clearinghouse for setoff of the debt by the department.**

137           **4. Upon receipt of the notice required under subsection 3 of this section, any patient**  
138 **seeking an appeal of a determination of a review officer under this section shall file a**  
139 **written request for such appeal within thirty days following receipt of such notice. An**  
140 **appeal shall be deemed filed when properly addressed and delivered to the United States**  
141 **Postal Service for mailing with postage prepaid. An appeal of a review officer's**  
142 **determination shall be heard by an appeals committee. In an appeal under this section,**  
143 **any issue that has been previously litigated in a court proceeding shall not be considered.**  
144 **A decision made after an appeal under this section shall determine whether a claim is owed**  
145 **to the provider, the amount of the claim, and whether the claim is an eligible claim under**  
146 **this section.**

147           **5. If the appeals committee finds a claim to be invalid or otherwise ineligible under**  
148 **this section, the decision of the appeals committee shall be final and binding on the**  
149 **provider and may not be appealed by the provider. If all or part of the claim is found by**  
150 **the appeals committee to be valid and eligible for setoff under this section, the appeals**  
151 **committee shall notify the provider and the patient of such fact. Such notice shall:**

(1) Inform the patient that the patient has the right to challenge the appeals committee determination by notifying the provider that it disagrees with the determination and advising the provider as to the basis of such disagreement;

(2) State that the patient must notify the provider of the challenge within ninety days of the patient's receipt of the notice from the appeals committee;

(3) Advise the patient that if the patient challenges the appeals committee's determination under this subsection, the provider will not be permitted to setoff the provider's claim against the patient's refund under this section unless and until the provider files suit against the patient in court seeking a determination that the provider's claim is valid regarding the amount of the claim and that the claim is eligible for setoff under this section, and the court determines that the provider's claim is valid, the amount of the provider's claim, and that provider's claim is eligible for setoff under this section; and

(4) Advise the patient that if the patient does not challenge the appeal committee's determination under this subsection, the provider will submit the claim to the claim clearinghouse for setoff by the department under this subsection.

6. If the provider prevails in the lawsuit filed under subsection 5 of this section, the provider may submit the claim to the claim clearinghouse for setoff by the department under this section. If the patient prevails in the lawsuit filed by the provider under subsection 5 of this section, the provider shall be:

(1) Forever barred from submitting the claim to the claim clearinghouse for setoff by the department under this section;

(2) Forever barred from taking any other steps to collect the amount of the claim from the patient; and

(3) Obligated to reimburse the patient for court costs and attorney's fees associated with the lawsuit filed under subsection 5 of this section.

7. Any provider may submit a claim to the claim clearinghouse for review. In connection with its submission of a claim to the claim clearinghouse, the provider, whenever possible, shall provide the claim clearinghouse with the patient's full name, Social Security number, address, and any other identifying information that the department advises the claim clearinghouse is necessary for the department to setoff the claim under this section. The provider shall also provide the claim clearinghouse with information demonstrating the provider's compliance with the requirements of this section with respect to the claim.

186           **8. If the claim clearinghouse receives sufficient evidence that a provider has fully**  
187 **complied with the requirements of this section and finds the claim valid, the claim shall be**  
188 **deemed eligible for setoff by the department under this section and shall be forwarded to**  
189 **the department. In connection with its submission of the claim to the department, the**  
190 **claim clearinghouse, whenever possible, shall provide the department with the patient's full**  
191 **name, Social Security number, address, and any other identifying information that the**  
192 **department advises the claim clearinghouse is necessary for the department to setoff the**  
193 **claim under this section.**

194           **9. If the claim clearinghouse determines that the provider has failed to comply with**  
195 **any applicable requirements in this section or that the claim is not valid, the claim**  
196 **clearinghouse shall return the claim to the provider.**

197           **10. If the department determines that a patient identified by a provider in an**  
198 **eligible claim filed with the department is entitled to a refund, the department shall notify**  
199 **the claim clearinghouse that a refund is available for setoff and the amount of such refund,**  
200 **and whether the refund results from a joint or combined return. Notwithstanding any**  
201 **provision of section 32.057 and any other confidentiality statute of this state to the**  
202 **contrary, the department may provide the claim clearinghouse with all information**  
203 **necessary to accomplish and carry out the provisions of this section and section 143.789,**  
204 **but shall not provide the claim clearinghouse with any information whose disclosure is**  
205 **prohibited by Section 6103(d) of the Internal Revenue Code of 1986, as amended. The**  
206 **information obtained by the claim clearinghouse from the department in accordance with**  
207 **this section and section 143.789 shall retain its confidentiality and shall only be used by the**  
208 **claim clearinghouse for the purpose described in this section and section 143.789.**

209           **11. (1) At that time, the department shall also notify the patient by regular mail**  
210 **that setoff against the patient's tax refund has been authorized under this section. The**  
211 **notice shall include the following information:**

212           **(a) The amount of the eligible claim and the name of the provider seeking setoff;**  
213           **(b) That a setoff to the patient's refund against the eligible claim has been**  
214 **performed; and**

215           **(c) Any amount of the refund remaining after the offset of the eligible claim.**

216           **(2) In the case of a joint or combined return, the notice shall also state the name of**  
217 **the nonobligated taxpayer named in the return, if any, against whom no claim is asserted,**  
218 **the fact that no claim is asserted against such taxpayer, and the fact that such taxpayer is**  
219 **entitled to receive a refund if it is due the taxpayer regardless of the claim asserted against**  
220 **the taxpayer's spouse. In order to obtain the refund due the taxpayer, the taxpayer shall**



221 **apply in writing for an apportionment of the refund with the department within thirty**  
222 **days of the date of receipt of the notice unless, in anticipation of the setoff of the taxpayer's**  
223 **spouse's refund, such nonobligated taxpayer provided the department with a request for**  
224 **apportionment of the anticipated refund which was filed at the same time the original tax**  
225 **return was filed, in which case the department shall determine the apportionment of the**  
226 **refund and forward the determination of apportionment and the nonobligated taxpayer's**  
227 **portion of the refund to the nonobligated taxpayer within fifteen working days of the**  
228 **transfer of the obligated taxpayer's portion of the refund to the claim clearinghouse.**  
229 **Unless a request for apportionment of the anticipated refund was provided to the**  
230 **department as provided in this section, within ninety days after the filing of such**  
231 **taxpayer's application for apportionment of the refund with the department a**  
232 **determination of apportionment shall be mailed to the nonobligated taxpayer by the**  
233 **department. The apportionment of the refund shall be final upon the expiration of thirty**  
234 **days from the date on which the determination of apportionment is mailed to the**  
235 **nonobligated taxpayer unless, within such thirty-day period, the nonobligated taxpayer**  
236 **applies in writing for a hearing with the department.**

237 **12. The department shall then pay to the claim clearinghouse the amount that the**  
238 **department has setoff for such provider, which shall include the collection assistance**  
239 **allocable to the claim clearinghouse. In the event the department is unable to setoff the**  
240 **entire eligible claim and collection assistance fee under this section, the setoff of the**  
241 **collection assistance fee shall have priority over the setoff of the eligible claim. If, after the**  
242 **department has paid to the claim clearinghouse the amount that the department has setoff**  
243 **for the provider, the provider is found not to have complied with any applicable**  
244 **requirement of this section, the provider shall send to the patient the entire amount of the**  
245 **claim offset by the department for the provider plus an amount equal to the collection**  
246 **assistance fee.**

247 **13. In addition to refunds, lottery prize payouts made under section 313.321 shall**  
248 **be subject to the setoff procedures established in this section.**

249 **14. The director of the department of revenue and the director of the department of**  
250 **health and senior services shall promulgate rules and regulations necessary to administer the**  
251 **provisions of this section. Any rule or portion of a rule, as that term is defined in section**  
252 **536.010, that is created under the authority delegated in this section shall become effective only**  
253 **if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section**  
254 **536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the**  
255 **general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove**

256 and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority  
257 and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

**247.700. Notwithstanding any provision of the law to the contrary, a board of  
2 directors of a public water supply district may comply with section 67.285 regarding any  
3 contract for the engineering, repair, sustainability, water quality management, and  
4 maintenance of an existing water storage tank and appurtenant facilities.**

**248.210. Notwithstanding any provision of law to the contrary, a board of trustees  
2 of a sanitary district may comply with section 67.285 regarding any contract for the  
3 engineering, repair, sustainability, water quality management, and maintenance of an  
4 existing water storage tank and appurtenant facilities.**

**249.1200. Notwithstanding any provision of law to the contrary, a board of trustees  
2 of a sewer district may comply with section 67.285 regarding any contract for the  
3 engineering, repair, sustainability, water quality management, and maintenance of an  
4 existing water storage tank and appurtenant facilities.**

**278.157. Notwithstanding any provision of law to the contrary, a board of soil and  
2 water district supervisors may comply with section 67.285 regarding any contract for the  
3 engineering, repair, sustainability, water quality management, and maintenance of an  
4 existing water storage tank and appurtenant facilities.**

302.291. 1. The director, having good cause to believe that an operator is incompetent  
2 or unqualified to retain his or her license, after giving ten days' notice in writing by certified mail  
3 directed to such person's present known address, may require the person to submit to an  
4 examination as prescribed by the director. Upon conclusion of the examination, the director may  
5 allow the person to retain his or her license, may suspend, deny or revoke the person's license,  
6 or may issue the person a license subject to restrictions as provided in section 302.301. If an  
7 examination indicates a condition that potentially impairs safe driving, the director, in addition  
8 to action with respect to the license, may require the person to submit to further periodic  
9 examinations. The refusal or neglect of the person to submit to an examination within thirty days  
10 after the date of such notice shall be grounds for suspension, denial or revocation of the person's  
11 license by the director, an associate circuit or circuit court. Notice of any suspension, denial,  
12 revocation or other restriction shall be provided by certified mail. As used in this section, the  
13 term "denial" means the act of not licensing a person who is currently suspended, revoked or  
14 otherwise not licensed to operate a motor vehicle. Denial may also include the act of  
15 withdrawing a previously issued license.

16           2. The examination provided for in subsection 1 of this section may include, but is not  
17 limited to, a written test and tests of driving skills, vision, highway sign recognition and, if  
18 appropriate, a physical and/or mental examination as provided in section 302.173.

19           3. The director shall have good cause to believe that an operator is incompetent or  
20 unqualified to retain such person's license on the basis of, but not limited to, a report by:

21           (1) Any certified peace officer;

22           (2) Any physician, physical therapist or occupational therapist licensed pursuant to  
23 chapter 334; any chiropractic physician licensed pursuant to chapter 331; any registered nurse  
24 licensed pursuant to chapter 335; any psychologist, social worker or professional counselor  
25 licensed pursuant to chapter 337; any optometrist licensed pursuant to chapter 336; **any**  
26 **emergency medical technician licensed under chapter 190; or**

27           (3) Any member of the operator's family within three degrees of consanguinity, or the  
28 operator's spouse, who has reached the age of eighteen, except that no person may report the  
29 same family member pursuant to this section more than one time during a twelve-month period.  
30 The report must state that the person reasonably and in good faith believes the driver cannot  
31 safely operate a motor vehicle and must be based upon personal observation or physical evidence  
32 which shall be described in the report, or the report shall be based upon an investigation by a law  
33 enforcement officer. The report shall be a written declaration in the form prescribed by the  
34 department of revenue and shall contain the name, address, telephone number, and signature of  
35 the person making the report.

36           4. Any physician, physical therapist or occupational therapist licensed pursuant to  
37 chapter 334, any chiropractor licensed pursuant to chapter 331, any registered nurse licensed  
38 pursuant to chapter 335, any psychologist, social worker or professional counselor licensed  
39 pursuant to chapter 337, or any optometrist licensed pursuant to chapter 336, **or any emergency**  
40 **medical technician licensed under chapter 190** may report to the department any patient  
41 diagnosed or assessed as having a disorder or condition that may prevent such person from safely  
42 operating a motor vehicle. Such report shall state the diagnosis or assessment and whether the  
43 condition is permanent or temporary. The existence of a physician-patient relationship shall not  
44 prevent the making of a report by such medical professionals.

45           5. Any person who makes a report in good faith pursuant to this section shall be immune  
46 from any civil liability that otherwise might result from making the report. Notwithstanding the  
47 provisions of chapter 610 to the contrary, all reports made and all medical records reviewed and  
48 maintained by the department of revenue pursuant to this section shall be kept confidential  
49 except upon order of a court of competent jurisdiction or in a review of the director's action  
50 pursuant to section 302.311.

51           6. The department of revenue shall keep records and statistics of reports made and  
52 actions taken against driver's licenses pursuant to this section.

53           7. The department of revenue shall, in consultation with the medical advisory board  
54 established by section 302.292, develop a standardized form and provide guidelines for the  
55 reporting of cases and for the examination of drivers pursuant to this section. The guidelines  
56 shall be published and adopted as required for rules and regulations pursuant to chapter 536. The  
57 department of revenue shall also adopt rules and regulations as necessary to carry out the other  
58 provisions of this section. The director of revenue shall provide health care professionals and  
59 law enforcement officers with information about the procedures authorized in this section. The  
60 guidelines and regulations implementing this section shall be in compliance with the federal  
61 Americans with Disabilities Act of 1990.

62           8. Any person who knowingly violates a confidentiality provision of this section or who  
63 knowingly permits or encourages the unauthorized use of a report or reporting person's name in  
64 violation of this section shall be guilty of a class A misdemeanor and shall be liable for damages  
65 which proximately result.

66           9. Any person who intentionally files a false report pursuant to this section shall be guilty  
67 of a class A misdemeanor and shall be liable for damages which proximately result.

68           10. All appeals of license revocations, suspensions, denials and restrictions shall be made  
69 as required pursuant to section 302.311 within thirty days after the receipt of the notice of  
70 revocation, suspension, denial or restriction.

71           11. Any individual whose condition is temporary in nature as reported pursuant to the  
72 provisions of subsection 4 of this section shall have the right to petition the director of the  
73 department of revenue for total or partial reinstatement of his or her license. Such request shall  
74 be made on a form prescribed by the department of revenue and accompanied by a statement  
75 from a health care provider with the same or similar license as the health care provider who made  
76 the initial report resulting in the limitation or loss of the driver's license. Such petition shall be  
77 decided by the director of the department of revenue within thirty days of receipt of the petition.  
78 Such decision by the director is appealable pursuant to subsection 10 of this section.

**311.205. 1. Any person licensed to sell liquor at retail by the drink for consumption  
2 on the premises where sold may use a table tap dispensing system to allow patrons of the  
3 licensee to dispense beer at a table. Before a patron may dispense beer, an employee of the  
4 licensee must first authorize an amount of beer, not to exceed thirty-two ounces per patron  
5 per authorization, to be dispensed by the table tap dispensing system.**

6           **2. No provision of law or rule or regulation of the supervisor shall be interpreted**  
7 **to allow any wholesaler, distributor, or manufacturer of intoxicating liquor to furnish table**

8 **tap dispensing or cooling equipment or provide services for the maintenance, sanitation,**  
9 **or repair of table tap dispensing systems.**

320.202. 1. There is hereby established within the department of public safety a  
2 "Division of Fire Safety", which shall have as its chief executive officer the fire marshal  
3 appointed under section 320.205. The fire marshal and the division shall be responsible for:

4 (1) The voluntary training of firefighters, investigators, inspectors, and public or private  
5 employees or volunteers in the field of emergency response, rescue, fire prevention or  
6 preparedness;

7 (2) Establishing and maintaining a statewide reporting system, which shall, as a  
8 minimum, include the records required by section 320.235 and a record of all fires occurring in  
9 Missouri showing:

10 (a) The name of all owners of personal and real property affected by the fire;

11 (b) The name of each occupant of each building in which a fire occurred;

12 (c) The total amount of insurance carried by, the total amount of insurance collected by,  
13 and the total amount of loss to each owner of property affected by the fire; and

14 (d) All the facts, statistics and circumstances, including, but not limited to, the origin of  
15 the fire, which are or may be determined by any investigation conducted by the division or any  
16 local firefighting agency under the laws of this state. All records maintained under this  
17 subdivision shall be open to public inspections during all normal business hours of the division;

18 (3) Conducting all investigations of fires mandated by sections 320.200 to 320.270;

19 (4) Conducting all fire inspections required of any private premises in order for any  
20 license relating to such private premises to be issued under any licensing law of this state, except  
21 those organizations and institutions licensed pursuant to chapter 197;

22 (5) Establishing and maintaining a voluntary training and certification program based  
23 upon nationally recognized standards. A certification testing fee and recertification fee shall be  
24 established by promulgated rules and regulations by the state fire marshal under the provisions  
25 of section 536.024.

26 Fees collected shall be deposited into the [general revenue] **fire education fund established in**  
27 **section 320.094.**

28 2. The state fire marshal shall exercise and perform all powers and duties necessary to  
29 carry out the responsibilities imposed by subsection 1 of this section, including, but not limited  
30 to, the power to contract with any person, firm, corporation, state agency, or political subdivision  
31 for services necessary to accomplish any of the responsibilities imposed by subsection 1 of this  
32 section.

33           3. The state fire marshal shall have the authority to promulgate rules and regulations  
34 under the provisions of section 536.024 to carry out the provisions of this section.

          321.130. 1. A person, to be qualified to serve as a director, shall be a voter of the district  
2 at least one year before the election or appointment and be over the age of twenty-five years;  
3 except as provided in subsections 2 and 3 of this section. The person shall also be a resident of  
4 such fire protection district. In the event the person is no longer a resident of the district, the  
5 person's office shall be vacated, and the vacancy shall be filled as provided in section 321.200.  
6 Nominations and declarations of candidacy shall be filed at the headquarters of the fire protection  
7 district by paying a ten dollar filing fee and filing a statement under oath that such person  
8 possesses the required qualifications.

9           2. In any fire protection district located in more than one county one of which is a first  
10 class county without a charter form of government having a population of more than one hundred  
11 ninety-eight thousand and not adjoining any other first class county or located wholly within a  
12 first class county as described herein, a resident shall have been a resident of the district for more  
13 than one year to be qualified to serve as a director.

14           3. In any fire protection district located in a county of the third or fourth classification,  
15 a person to be qualified to serve as a director shall be over the age of twenty-five years and shall  
16 be a voter of the district for more than one year before the election or appointment, except that  
17 for the first board of directors in such district, a person need only be a voter of the district for one  
18 year before the election or appointment.

19           4. A person desiring to become a candidate for the first board of directors of the  
20 proposed district shall pay the sum of five dollars as a filing fee to the treasurer of the county and  
21 shall file with the election authority a statement under oath that such person possesses all of the  
22 qualifications set out in this chapter for a director of a fire protection district. Thereafter, such  
23 candidate shall have the candidate's name placed on the ballot as a candidate for director.

24           **5. Any director who has been found guilty of or pled guilty to any felony offense**  
25 **shall immediately forfeit his or her office.**

26           **6. No person shall be qualified to serve as a director, nor shall such person's name**  
27 **appear on the ballot as a candidate for such office, who shall be in arrears for any unpaid**  
28 **or past due county taxes.**

          321.162. 1. **In addition to the qualifications prescribed by law,** all members of the  
2 board of directors of a fire protection district first elected **or appointed** on or after January 1,  
3 2008, shall attend and complete an educational seminar or conference or other suitable training  
4 on the role and duties of a board member of a fire protection district. The training required under  
5 this section shall be conducted by an entity approved by the office of the state fire marshal. The

6 office of the state fire marshal shall determine the content of the training to fulfill the  
7 requirements of this section. Such training shall include, at a minimum:

- 8 (1) Information relating to the roles and duties of a fire protection district director;
- 9 (2) A review of all state statutes and regulations relevant to fire protection districts;
- 10 (3) State ethics laws;
- 11 (4) State sunshine laws, chapter 610;
- 12 (5) Financial and fiduciary responsibility;
- 13 (6) State laws relating to the setting of tax rates; and
- 14 (7) State laws relating to revenue limitations.

15 2. If any fire protection district board member fails to attend a training session within  
16 twelve months after taking office, the board member shall not be compensated for attendance at  
17 meetings thereafter until the board member has completed such training session.

**321.228. 1. As used in this section, the following terms shall mean:**

2 (1) "Residential construction", new construction and erection of detached single-  
3 family or two-family dwellings or the development of land to be used for detached single-  
4 family or two-family dwellings;

5 (2) "Residential construction regulatory system", any bylaw, ordinance, order,  
6 rule, or regulation adopted, implemented, or enforced by any city, town, village, or county  
7 that pertains to residential construction, to any permitting system, or program relating to  
8 residential construction, including but not limited to the use or occupancy by the initial  
9 occupant thereof, or to any system or program for the inspection of residential  
10 construction. Residential construction regulatory system also includes the whole or any  
11 part of a nationally recognized model code, with or without amendments specific to such  
12 city, town, village, or county.

13 2. Notwithstanding the provisions of any other law to the contrary, if a city, town,  
14 village, or county adopts or has adopted, implements, and enforces a residential  
15 construction regulatory system applicable to residential construction within its jurisdiction,  
16 any fire protection districts wholly or partly located within such city, town, village, or  
17 county shall be without power, authority, or privilege to enforce or implement a residential  
18 construction regulatory system purporting to be applicable to any residential construction  
19 within such city, town, village, or county. Any such residential construction regulatory  
20 system adopted by a fire protection district or its board shall be treated as advisory only  
21 and shall not be enforced by such fire protection district or its board.

22 3. Notwithstanding the provisions of any other law to the contrary, fire protection  
23 districts:

24           **(1) Shall have final regulatory authority regarding the location and specifications**  
25 **of fire hydrants, fire hydrant flow rates, and fire lanes, all as it relates to residential**  
26 **construction; and**

27           **(2) May inspect the alteration, enlargement, replacement or repair of a detached**  
28 **single-family or two-family dwelling; and**

29           **(3) Shall not collect a fee for the services described in subdivisions (1) and (2) of this**  
30 **subsection.**

321.460. 1. Two or more fire protection districts may consolidate with each other in the  
2 manner hereinafter provided, and only if the districts have one or more common boundaries, in  
3 whole or in part, **or are located within the same county, in whole or in part**, as to any  
4 respective two of the districts which are so consolidating.

5           2. By a majority vote of each board of directors of each fire protection district included  
6 within the proposed consolidation, a consolidation plan may be adopted. The consolidation plan  
7 shall include the name of the proposed consolidated district, the legal description of the  
8 boundaries of each district to be consolidated, and a legal description of the boundaries of the  
9 consolidated district, the amount of outstanding bonds, if any, of each district proposed to be  
10 consolidated, a listing of the firehouses within each district, and the names of the districts to be  
11 consolidated.

12           3. Each board of the districts approving the plan for proposed consolidation shall duly  
13 certify and file in the office of the clerk of the circuit court of the county in which the district is  
14 located a copy of the plan of consolidation, bearing the signatures of those directors who vote  
15 in favor thereof, together with a petition for consolidation. The petition may be made jointly by  
16 all of the districts within the respective plan of consolidation. A filing fee of fifty dollars shall  
17 be deposited with the clerk, on the filing of the petition, against the costs of court.

18           4. The circuit court sitting in and for any county to which the petition is presented is  
19 hereby vested with jurisdiction, power and authority to hear the same, and to approve the  
20 consolidation and order such districts consolidated, after holding an election, as hereinafter  
21 provided.

22           5. If the circuit court finds the plan for consolidation to have been duly approved by the  
23 respective boards of directors of the fire protection districts proposed to be consolidated, then  
24 the circuit court shall enter its order of record, directing the submission of the question.

25           6. The order shall direct publication of notice of election, and shall fix the date thereof.  
26 The order shall direct that the elections shall be held to vote on the proposition of consolidating  
27 the districts and to elect three persons, having the qualifications declared in section 321.130 and



28 being among the then directors of the districts proposed to be consolidated, to become directors  
29 of the consolidated district.

30 7. The question shall be submitted in substantially the following form:

31 Shall the ..... Fire Protection Districts and the ..... Fire Protection District be consolidated  
32 into one fire protection district to be known as the ..... Fire Protection District, with tax levies not  
33 in excess of the following amounts: maintenance fund ..... cents per one hundred dollars  
34 assessed valuation; ambulance service ..... cents per one hundred dollars assessed valuation;  
35 pension fund ..... cents per one hundred dollars assessed valuation; and dispatching fund .....  
36 cents per one hundred dollars assessed valuation?

37 8. If, upon the canvass and declaration, it is found and determined that a majority of the  
38 voters of the districts voting on the proposition or propositions have voted in favor of the  
39 proposition to incorporate the consolidated district, then the court shall then further, in its order,  
40 designate the first board of directors of the consolidated district, who have been elected by the  
41 voters voting thereon, the one receiving the third highest number of votes to hold office until the  
42 first Tuesday in April which is more than one year after the date of election, the one receiving  
43 the second highest number of votes to hold office until two years after the first Tuesday  
44 aforesaid, and the one receiving the highest number of votes until four years after the first  
45 Tuesday in April as aforesaid. If any other propositions are also submitted at the election, the  
46 court, in its order, shall also declare the results of the votes thereon. If the court shall find and  
47 determine, upon the canvass and declaration, that a majority of the voters of the consolidated  
48 district have not voted in favor of the proposition to incorporate the consolidated district, then  
49 the court shall enter its order declaring the proceedings void and of no effect, and shall dismiss  
50 the same at the cost of petitioners.

321.711. 1. A recall petition shall be filed with the election authority not more than one  
2 hundred eighty days after the filing of the notice of intention.

3 2. The number of qualified signatures required in order to recall an officer shall be equal  
4 in number to at least [twenty-five] **twenty** percent of the number of voters who voted in the most  
5 recent gubernatorial election in that district.

6 3. Within twenty days from the filing of the recall petition the election authority shall  
7 determine whether or not the petition was signed by the required number of qualified signatures.  
8 The election authority shall file with the petition a certificate showing the results of the  
9 examination. The authority shall give the proponents a copy of the certificate upon their request.

10 4. If the election authority certifies the petition to be insufficient, it may be supplemented  
11 within ten days of the date of certificate by filing additional petition sections containing all of  
12 the information required by section 321.709 and this section. Within ten days after the

13 supplemental copies are filed, the election authority shall file with it a certificate stating whether  
14 or not the petition as supplemented is sufficient.

15 5. If the certificate shows that the petition as supplemented is insufficient, no action shall  
16 be taken on it; however, the petition shall remain on file.

**Section 1. 1. For purposes of this act, the term "anemometer" means an instrument  
2 for measuring and recording the speed of the wind, and the term "anemometer tower"  
3 means a structure, including all guy wires and accessory facilities, on which an  
4 anemometer is mounted for the purposes of documenting whether a site has wind resources  
5 sufficient for the operation of a wind turbine generator.**

6 **2. Any anemometer tower that is fifty feet in height above the ground or higher,  
7 that is located outside the exterior boundaries of any municipality, and whose appearance  
8 is not otherwise mandated by state or federal law shall be marked, painted, flagged, or  
9 otherwise constructed to be recognizable in clear air during daylight hours. Any  
10 anemometer tower that was erected before the effective date of this act shall be marked as  
11 required in this section within one year after the effective date of this act. Any  
12 anemometer tower that is erected on or after the effective date of this act shall be marked  
13 as required in this section at the time it is erected. Marking required under this section  
14 includes marking the anemometer tower, guy wires, and accessory facilities as follows:**

15 **(1) The top one-third of the anemometer tower shall be painted in equal,  
16 alternating bands of aviation orange and white, beginning with orange at the top of the  
17 tower and ending with orange at the bottom of the marked portion of the tower;**

18 **(2) Two marker balls shall be attached to and evenly spaced on each of the outside  
19 guy wires;**

20 **(3) The area surrounding each point where a guy wire is anchored to the ground  
21 shall have a contrasting appearance with any surrounding vegetation. If the adjacent land  
22 is grazed, the area surrounding the anchor point shall be fenced. For purposes of this  
23 section, the term, area surrounding the anchor point, means an area not less than sixty-  
24 four square feet whose outer boundary is at least four feet from the anchor point; and**

25 **(4) One or more seven-foot safety sleeves shall be placed at each anchor point and  
26 shall extend from the anchor point along each guy wire attached to the anchor point. A  
27 violation of this section is a class C misdemeanor.**

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